STANDARD FORM NO. 64

Office Memorandum • UNITED GOVERNMENT

TO : Mr. Tolson

DATE: 11/17/52

FROM : H. H. Clegg

SUBJECT: PAUL DeLUCIA alias PAUL RICCA
PAROLE MATTER
STATUS OF INQUIRY

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Belmont
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Glavin
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Nease
Gandy

There are attached hereto photostatic copies of the following documents re the above matter which appear in the Department's file No. 95-23-38.

1. Straight telegram dated June 13, 1950, to U. S. Attorney Otto Kerner, Jr., Chicago, signed by Philip B. Perlman, Acting Attorney General, advising that "your delay in filing motion in DeLucia case is putting Department in an embarrassing position" and that Department "should have known before this whether the District Court will grant motion to allow" the Department to answer. It is further indicated in the wire that the Department had tried since May 19 to get action from the U. S. Attorney's office without result.

2. Original wire dated June 13, 1950, to the Attorney General from U. S. Attorney Kerner setting forth in 5 pages that the Department "further reconsider its present position with respect to pleading over."

3. Wire to U. S. Attorney Kerner, dated June 14, 1950, from Solicitor General Perlman advising that his long five-galley telegram re DeLucia does not contain any explanation for failing to comply promptly with instructions contained in letter of May 19 despite telephone calls and telegrams urging action.

4. Wire, June 15, to Solicitor General Perlman from U. S. Attorney Kerner explaining that his long five-galley telegram was not written to explain delay but to convey his ideas with respect to the suggested procedures and expressing his thought that the case is prejudiced by the steps taken in complying with the Solicitor General's instruction and stating his action was dictated by his conscience and judgment.

5. Letter dated June 20, 1950, to the Attorney General from U. S. Attorney Kerner further setting forth the U. S. Attorney's views.

6. Letter dated September 3, 1952, to U. S. Attorney Kerner from Assistant Attorney General Murray acknowledging receipt of 2 copies of the memorandum by Judge Igoe which became the final order of Judge Igoe on September 9, 1952. Thus, the Department was placed on notice at least by September 3, 1952, or earlier as to Judge Igoe's decision or prospective decision.

58-2000-2119

cc - Mr. Rosen (with attachments)

RECORDED-20
EX-113

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42 OCT 3 1974

Attachments

The above documents, it was thought, might be helpful in the event the current scope of the investigation is broadened, particularly since it reflects delay and charges that instructions of the Department had prejudiced the case. It is believed that these might be made of record in the Bureau's files or they may provide some leads for the current inquiry being conducted by Mr. Rosen's Division.

Memo A.G. 11-1-54 re the cases

V.M.

See that memo covers all leads & complete report made to A.G.

Mr. Tolson

11/17/53

H. H. Clegg

PAUL DeLUCIA alias PAUL RICCA
PAROLE MATTER
STATUS OF INQUIRY

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/5/85 BY SP5 [illegible]
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Friday afternoon in order to obtain necessary background information and files, I talked briefly to Acting Solicitor General Stern, with Assistant Attorney General Murray, and with Attorney A. E. Gottshall in the Criminal Division. The following highlights are of interest:

Mr. Stern advised that the Department did not appeal the decision in the "Campagna, et al" case and he understood that this was very thoughtfully considered and conferences were held prior to reaching such a decision. In considering the "DeLucia alias Ricca" case, there was but little more than what appeared in the Campagna case to consider. There had been some Congressional hearings, but no new testimony presented to the court and the only new item was the $12,000 wedding breakfast reception and expense. Judge Igoe said that DeLucia told his local parole officer about the $12,000 wedding party and that even if he hadn't, the money was income for the daughter instead of for DeLucia. Thus, there was no material substantial distinction between the DeLucia case and the preceding case which was not appealed.

The case came to the Solicitor General on November 7, which was the day before the time for appeal expired on November 8. The case came with a recommendation for no appeal from Mr. Gottshall, Mr. Ahrdal and Assistant Attorney General Murray of the Criminal Division with similar recommendation from the U. S. Attorney and the Parole Board. Even if they had had longer time the decision would have been the same.

Assistant Attorney General Charles B. Murray of the Criminal Division states that it was his job to notify the Attorney General about this matter and he has no special reason for failing to notify the Attorney General of the decision not to appeal.

He stated that he concurred in the decision not to appeal on November 7, the day before the appeal time ended. The following Tuesday he recalls he heard the name Ricca but had never heard of Ricca before. He had heard of Campagna and he knew of the case by the title "Campagna, et al." He might have recognized it as the case of such importance if the name DeLucia had been used, but he

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frankly did not recognize the name Riccu, an alias of DeLucia. It was Wednesday after the decision was made that he became acquainted with the real identity of the case.

He doesn't like the delay in the case and action should have been taken a month earlier with a decent letter going to the U. S. Attorney instead of the last minute wire.

Mr. A. E. Gottshall, who was handling this matter in the Criminal Division, stated that if the Attorney General should come in, he would tell him that he was sorry and that he apologized for the delay, that from the date of October 21 when he heard from the parole board until November 4, he frankly overlooked the urgency of the matter. He was so busy he needed more assistance on his desk and only three weeks ago got some additional help.

The telegram to the U. S. Attorney reporting that the Solicitor General has decided against appeal was dated November 7, stamped in the telegraph office of the Department at 6:04 P.M. on November 7, and was prepared by Attorney A. E. Gottshall.

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~~123-51-18~~
95-23-38 G.A.R.

September 3, 1952

SEP 8 1952

Otto Kerner, Jr., Esq.
United States Attorney
Chicago, Illinois

Re: Paul De Lucia v. O'Donovan, Marshal
Habeas Corpus No. 50 C 1643

Dear Mr. Kerner:

We acknowledge receipt of two copies of the memorandum by Judge Igoe granting judgment to the petitioner in the above case. We note that the memorandum is dated August 21, and that the order reflecting the judgment is to be presented to the court on September 9.

Of particular interest is Judge Igoe's statement and summary disposition of De Lucia's failure to have reported the handling of the substantial sum covering the expenses incident to his daughter's wedding reception. The court found that sum to have been the property of the newly married couple in the absence of evidence supporting the proposition that the funds belonged to the petitioner De Lucia. It is further stated that a full report of the transaction was made by the petitioner to parole authorities, meaning probably the probation office at Chicago, and that such report was accepted. You have all the facts and are therefore in a position to determine whether they support the view taken by the court.

When the order to be signed on September 9 has been entered we will appreciate having you forward several copies thereof and at the same time having you submit your recommendation for or against appeal.

Respectfully,

INSF'TD AND MAILED
COMMUNICATIONS SEC
SEP 3 1952 B

the Attorney General

CHARLES B. MURRAY
Assistant Attorney General

CC: Records [redacted]
Records - File 123-51-18
Chrono.
Mr. Gottshall

D.J.File 95-23-38

L.J.B.

DEPARTMENT OF JUSTICE
ADMIN. RECORDS BRANCH
TELEGRAPH OFFICE

DBP:lhm

Washington, D. C.
June 13th, 1950

1950 JUN 13 PM 12:59

STRAIGHT TELEGRAM

OTTO KERNER, JR.
UNITED STATES ATTORNEY
FEDERAL COURTHOUSE
CHICAGO, ILLINOIS

YOUR DELAY IN FILING MOTION IN DE LUCIA CASE IS PUTTING DEPARTMENT IN AN EMBARRASSING POSITION. WE SHOULD HAVE KNOWN BEFORE THIS WHETHER THE DISTRICT COURT WILL GRANT MOTION TO ALLOW US TO ANSWER. THE TIME FOR FILING PETITION FOR CERTIORARI EXPIRES JUNE 29 AND SO FAR AS WE KNOW NOTHING HAS BEEN DONE TO PREPARE SUCH A PETITION. WE HAVE TRIED SINCE MAY 19 TO GET ACTION FROM YOUR OFFICE WITHOUT RESULT. WE MUST KNOW AT ONCE THE DATE WHEN COURT WILL ACT ON MOTION AND WHAT STEPS CAN BE TAKEN TO PREPARE A PETITION IF MOTION IS NOT GRANTED

PHILIP B. PERLMAN
ACTING ATTORNEY GENERAL

FILE COPY

cc Medahl
Ford

FOR VICTORY BUY UNITED STATES WAR BONDS AND STAMPS

Department of Justice

OFFICE OF UNITED STATES ATTORNEY
NORTHERN DISTRICT OF ILLINOIS
450 UNITED STATES COURT HOUSE
CHICAGO

IN REPLY REFER TO INITIALS AND NUMBER

OKjr:JPLrmo

RECEIVED
JUN 21 1950
Criminal Division

(4)

June 20, 1950.

AIR MAIL - Special Delivery

FILED
JM
21

The Attorney General,
Department of Justice,
Washington 25, D. C.

Re: United States ex rel. De Lucia v. O'Donoven
No. 48-C-867
Your Reference: JMM:RSE:MAC 95-23-38

Sir:

Further reference is made to my teletype addressed to the Solicitor General on June 15, 1950.

On May 19, 1950, a letter was addressed to me over Mr. McInerney's signature, requesting the preparation of the petition for leave to plead over in the instant cause. This letter was received in my office on May 22, 1950. During the course of that morning it came across my desk. A short discussion was had with respect to authority to support the Government's position. One of my assistants was directed to look into the matter and to seek out supporting authority.

On May 25, 1950, Mr. Erdahl of the Criminal Appeals Section spoke to Mr. Scariano of my office in this regard, after he had finished talking with another of my assistants, Mr. Allen, concerning the Murra case. At that time, Mr. Erdahl was informed that a search as of that date had revealed no authority to support the Government's position. Mr. Erdahl stated that he knew of no precedent or authority for the filing of this petition, other than that habeas corpus proceedings are matters sui generis.

Despite this indication, I directed that a further search be made for analagous authority in civil cases. As the search progressed, the only authority we could find was contrary to the Government's position.

95-22-38
DEPARTMENT OF JUSTICE
JUN 21 1950
DIVISION RECORDS
CRIM - GEN CRIME SEC

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DEPARTMENT OF JUSTICE
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1950 JUN 15 PM 10:46

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JUN 16 1950
SOLICITOR GENERAL

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CHICAGO 6-15-50 430P

PHILIP B PERLMAN

SOL GENL DEPT OF JUSTICE WA

REURTEL JUNE 14 REGARDING DE LUCIA. MY LONG FIVE GALLEY TELEGRAM WAS NOT WRITTEN WITH A VIEW TO EXPLAINING ANY DELAY IN FOLLOWING SUGGESTIONS IN YOUR LETTER OF MAY 19. AS YOU WILL NOTE FROM READING THE TELEGRAM THE PURPOSE WAS TO CONVEY MY IDEAS WITH RESPECT TO THE SUGGESTED PROCEDURES AND TO POINT OUT TO YOU MATTERS WHICH I THOUGHT MERITED SERIOUS CONSIDERATION. I THOUGHT THEN AND I STILL THINK THAT THE CASE IS PREJUDICED BY THE STEPS TAKEN IN COMPLYING WITH YOUR INSTRUCTIONS. MY ACTION IN THIS MATTER WAS DICTATED BY MY CONSCIENCE AND MY JUDGMENT. LETTER FOLLOWS.

OTTO KERNER JR U S ATTY

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HL 432P

95-23-38
DEPARTMENT OF JUSTICE
JUN 16 1950
DIVISION OF RECORDS
SOLICITOR GENERAL

L.J.R.

RECORD

file PBP

D.J.File 95-23-38

L.J.R

DEPARTMENT OF JUSTICE
ADMIN. RECORDS BRANCH
TELEGRAPH OFFICE

1950 JUN 14 PM 5:07

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Washington, D. C.

June 14th, 1950

STRAIGHT TELEGRAM

OTTO KERNER, JR.
UNITED STATES ATTORNEY
FEDERAL COURTHOUSE
CHICAGO, ILLINOIS

HAVE READ YOUR LONG FIVE-GALLEY TELEGRAM IN RE DE LUCIA, WHICH DOES NOT CONTAIN ANY EXPLANATION FOR FAILING TO COMPLY PROMPTLY WITH INSTRUCTIONS CONTAINED IN LETTER OF MAY 19, DESPITE TELEPHONE CALLS AND TELEGRAMS URGING ACTION. UNDERSTAND YOU WILL NOW GO FORWARD WITH MOTION, ALTHOUGH IT MAY BE NECESSARY FOR US TO APPLY FOR CERTIORARI WITHOUT KNOWING IF WE CAN GET ANY OPPORTUNITY TO SUBMIT EVIDENCE ON MERITS.

PHILIP B. PERLMAN
SOLICITOR GENERAL

FILE COPY

The Attorney General June 20, 1950.

On June 8, 1950, a teletype was received from the Department, requesting a report of our progress on the suggested leave to plead over. In response to this teletype, and in my absence, my First Assistant, Mr. Miller, telephoned Mr. Horan of the Department. He discussed various phases of this situation with Mr. Horan and indicated that, as of that date, we were inclined to the belief that a motion or petition for leave to plead over would be ruled upon adversely by the Court.

It was then agreed that no further action should be taken by my office until such time as I returned and was given further opportunity to personally consider the Government's position.

On the Monday following, June 12, 1950, at approximately 4:00 P.M., Mr. Erdahl of the Criminal Appeals Section called my office and spoke to Mr. Miller. He made inquiry as to whether or not we had taken any steps with respect to the Department's letter of May 19, 1950. He was informed that the Department's suggested procedure had been a subject of extended and lengthy discussion and that we were very doubtful of the legal propriety of a motion or petition for leave to plead over. He was further informed that it was extremely doubtful that Judge Igoe would entertain any pleading, granting the Government leave to plead over. He was further advised that the record before the Supreme Court already contained the facts, showing that the member of the Parole Board had reliable information at the time he issued the warrant.

Mr. Erdahl indicated that, in his opinion, an opportunity to plead over would be automatically granted to the Government because the instant cause sounded in habeas corpus. After further discussion, Mr. Erdahl was informed that he would be further advised concerning the letter of May 19, 1950, on the next day, June 13, 1950, or Wednesday, June 14, 1950, the date of my expected return to my office.

On June 13, 1950, at 12:57 P.M., there was delivered to my office a teletype from Acting Attorney General Perlman, stating

in effect that our action had placed the Department in an embarrassing position, and requesting information at once concerning the date when the Court would act on the Government's motion and "what steps can be taken to prepare a petition if motion is not granted." Immediately upon receipt of Acting Attorney General Perlman's teletype, there was dispatched by teletype to the Department a statement of my observations and suggestions with respect to the Government's position.

On that same date, June 13, 1950, there was prepared a final draft of the Government's petition for leave to plead over and the Government's replication to the petitioner's traverse. The final draft was prepared from rough drafts from which my office had been working.

On June 14, 1950, Judge Igoe, at an informal conference, indicated that his calendar did not permit the hearing on any extended argument on the Government's petition for leave to plead over. He further indicated that he would grant De Lucia time to answer our petition for leave to plead over.

Upon receipt of this information, I immediately telephoned Mr. Erdahl of the Department and spoke to him at approximately 3:10 P.M. on the same date, June 14, 1950, and indicated to Mr. Erdahl the Court's position. I stated that with this indication of the Court, and if the Court followed his normal practice in hearing contested motions, the Government's petition would not be heard before June 29, 1950. I further informed Mr. Erdahl that De Lucia's counsel, Mr. Stewart, would, in my opinion, attempt every means at his command to delay any hearing on the Government's petition beyond June 29, 1950. At that time, I stated to Mr. Erdahl that in all probability this matter would not be heard until the Judge returned to the bench during his summer session in the latter part of August.

I pointed this out to Mr. Erdahl in order that he might be informed of all of these facts before we served notice of our petition for leave to plead over on counsel, so that if the service of notice would have any effect on the Government's petition for certiorari, he would have knowledge thereof before it was too late.

The Attorney General June 20, 1950

Mr. Erdahl stated that he was not concerned about what happened in the proceeding before Judge Igoe; that he had hoped that the matter could be concluded before June 29, 1950; and that, in any event, the Department was prepared to proceed on its petition for certiorari, based upon the legal proposition that the Court below did not have jurisdiction to interfere in the Parole Board proceeding.

On June 15, 1950, after the Government's petition had been presented in Court, I forwarded to the Department a full report of the proceedings had, together with the Government's pleadings. This report was forwarded to you air mail, special delivery.

On the same date, June 15, 1950, upon my arrival at the office, there was given to me a teletype from the Solicitor General, containing his observations on our teletype of June 13, 1950. I replied to the Solicitor General by teletype, in which I indicated that I felt our case was prejudiced by the steps taken in compliance with his instructions.

The action taken by the Court, directing the Government to file a brief in support of its position, would have been no different if the petition had been presented to him on any previous date. If the Government's petition had been presented to Judge Igoe on May 22, 1950, I am certain beyond doubt that the Judge would have taken the same position and entered the same order, and that no hearing would have been held until he resumed his seat on the bench during his regularly scheduled session in the summer term of our Court.

It has always been apparent to me that the Court would not make any summary disposition of a petition of this nature. I have but to call your attention to the period of time the Court took to dispose of our demurrer. The Government's present petition, in certain respects, presents far more delicate questions than were raised by our demurrer to the petitioner's traverse.

Our courts are busy trial courts. You are probably aware of the fact that for some time past, the judges have been demanding of Congress that their number be increased, because of the heavy trial load faced by each of the present sitting judges.

The Attorney General June 20, 1950

It is not unusual, therefore, when the courts are hearing trials, for motions to remain under advisement over rather extended periods of time. Only emergency petitions and pleadings with statutory directions for precedence are summarily decided.

I suggest that in the future, if any situation such as the present one should re-occur, the Department not unduly delay requests for unusual actions of this type.

At the furthest stretch in point of time, the period from May 22, 1950, to June 29, 1950, included only 39 days, including Saturdays, Sundays and one holiday, a period of time entirely too short for the presentation of the briefs required by the local rules of our District Court and for the normal period of time during which motions are kept under advisement.

I am aware of no grounds upon which I could label the Government's pleading as an emergency pleading, and request emergency action by the Court. This is obviously so, in view of the fact that the information contained in our pleading was known to the Government since at least June 15, 1948, the date upon which the warrant of parole revocation issued.

With further reference to the brief required by Judge Igoe, I specifically note at this time that if the Government requests any extension of time beyond July 15, 1950, for filing, without doubt, Mr. Stewart will likewise request a further extension of time, thus further delaying the ultimate decision of the Court in this matter.

I also call to your attention the fact that Judge Igoe may take this matter under advisement and not give a decision with respect to our petition during the summer session of this Court. This is speculative at the moment, but should be kept in mind.

Respectfully,

OTTO KERNER, Jr.,
United States Attorney.

CRIMINAL DIVISION
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DEPARTMENT OF JUSTICE
ADMIN. RECORDS BRANCH
TELEGRAPH OFFICE
1950 JUN 13 PM 5:31

83 WA CG /J-D/
CHICAGO 6-13-50 115P

THE ATTORNEY GENERAL

DEPT OF JUSTICE WA

RE UNITED STATES EX REL. PAUL DE LUCIA VS. THOMAS P O-DONOVAN.
C. A. 7, NO. 9788.
YOUR REFERENCE JMM..RSE..MAC 95-23-38
REURTT YOUR TELETYPE JUNE 13

I HAVE GIVEN CAREFUL THOUGHT TO THE DEPARTMENT-S DIRECTION TO MOVE FOR REOPENING OF THE JUDGMENT ENTERED IN THE INSTANT CAUSE AND BEFORE PROCEEDING FEEL THAT THERE ARE SOME MATTERS OF SUFFICIENT IMPORTANCE TO MERIT YOUR CAREFUL CONSIDERATION. IF THE CASE IS TO BE REOPENED, IT APPEARS TO ME THAT A MOTION TO RECALL THE MANDATE MUST FIRST BE MADE IN THE COURT OF APPEALS. FOR ALL PRACTICAL PURPOSES, IT WOULD SEEM TO BE THE ONLY METHOD BY WHICH THE COURT COULD ASSUME JURISDICTION TO VACATE ITS JUDGMENT ENTERED ON NOVEMBER 23, 1948. OTHERWISE, IT IS ALMOST CERTAIN THAT COUNSEL FOR THE PETITIONER WOULD FORTHWITH PRAY THE ISSUANCE OF A WRIT OF PROHIBITION, RESTRAINING THE COURT FROM SO DOING.

THE COURT IN ITS ORDER DATED NOVEMBER 10, 1948 /TR. 838/, AFTER DENYING THE RESPONDENT-S DEMURRER, GRANTED THE RESPONDENT TEN DAYS IN WHICH TO FILE HIS ANSWER TO THE PETITIONER-S TRAVERSE. ON NOVEMBER 22, 1948, WE ELECTED NOT TO PLEAD OVER AND TO STAND BY OUR DEMURRER /TR. 838/ HAVING SO DONE, AND HAVING KNOWLEDGE AT THE TIME OF SO ELECTING OF THE PROPOSED ISSUES WE NOW DESIRE TO RAISE BY WAY OF REPLICATION TO THE TRAVERSE, I DO NOT FEEL THAT THE COURT WOULD DO OTHER THAN SUMMARILY DISMISS OUR PETITION FOR LEAVE TO FILE AN ANSWER OR REPLICATION TO THE PETITIONER-S TRAVERSE. IF AN APPEAL WERE TAKEN FROM SUCH A SUMMARY DENIAL, I DO NOT FEEL OUR COURT OF APPEALS WOULD DO OTHER THAN AFFIRM SUCH ACTION TAKEN BY THE COURT.

/MORE/

CRIMINAL DIVISION
LEGAL REFERENCE UNIT
JUN 14 1950
DOCKETED

Sections:
Administrative
Regulations
Research
Rights
Crimes
Security
Agents Regis.

L.J.B.

File
RSE

95-23-38
DEPARTMENT OF JUSTICE
JUN 14 1950
DIVISION OF RECORDS
CRIM.-GEN. CRIME SEC
RECORD

SOLICITOR GENERAL

MTTM

THE LETTER OF PAROLE BOARD ADDRESED TO DE LUCIA /TR. 785/ WHICH FURNISHED THE SPECIFICATIONS FOR THE CHARGE OF PAROLE VIOLATIONS AFFIRMATIVELY APPEARS TO HAVE BEEN WITHIN THE KNOWLEDGE OF THE BOARD ON JUNE 15, 1948, THE DATE ON WHICH THE WARRANT WAS ISSUED. IN A SIMILAR SITUATION, IN RE MURRA, /PXW..KDA-38-23-1302/, IN WHICH WE FILED A PETITION IN THE COURT OF APPEALS PRAYING THE MODIFICATION OF THE MANDATE FOR THE PURPOSE OF PRESENTING FURTHER EVIDENCE, THE COURT OF APPEALS WITHOUT OPINION DENIED OUR APPLICATION. I CANNOT BUT FEEL THAT IF SUCH AN APPLICATION WERE MADE IN THE INSTANT CAUSE, IT WOULD BE SIMILARLY DENIED.

Not opposite - but assumed, Hand no Opinion on evidence, and stood on demurrer

ASSUMING THE REMOTELY EXTREME POSSIBILITY THAT WE WOULD BE GRANTED LEAVE TO PLEAD OVER, THE PRAYING AND GRANTING OF SUCH LEAVE COULD VERY PROPERLY BE CONSTRUED AS AN ABANDOMENT OF OUR DEMURRER. THE AFFIRMANCE BY THE COURT OF APPEALS OF THE DENIAL OF OUR DEMURRER MUST BE CONSTRUED AS THE LAW OF THE CASE. THIS WOULD THEN LEAVE US IN THE POSITION OF ASSUMING THE RISK OF AN ADVERSE FINDING PREDICATED UPON CONTESTED ISSUES OF FACT. AN APPEAL FROM AN ORDER OF DISCHARGE BASED UPON FINDINGS OF FACT AND CONCLUSIONS OF ALW COULD VERY WELL LEAVE US DEFENSELESS ON APPEAL.

IN MY VIEW, THE INSUPERABLE DIFFICULTY IN THE INSTANT CAUSE IS NOT SO MUCH PETITIONING FOR LEAVE TO PLEAD OVER, AS TO RETRACT OUR ELECTION NOT TO PLEAD OVER, AFTER SUCH OPPORTUNITY HAD BEEN GRANTED TO US BY THE COURT BELOW. OF NECESSITY, WE WOULD HAVE TO ASSERT SOME COMPELLING REASON FOR RETRACTING OUR ELECTION NOT TO PLEAD. FRANKLY, IT WOULD APPEAR THAT THE ONLY REASON WE COULD ASSERT AT THIS TIME WOULD BE THAT THE GRANTING OF SUCH LEAVE WOULD BOLSTER OUR POSITION BEFORE THE SUPREME COURT. THE JUDICIAL REACTION TO SUCH A REASON COULD ONLY BE AN ADVERSE ONE.

VERY CAREFUL CONSIDERATION WAS GIVEN BY THE DEPARTMENT AND BY US AT THE TIME OF DENIAL OF OUR DEMURRER AS TO WHETHER OR NOT WE SHOULD PLEAD OVER. THE MANY COMPELLING REASONS THAT EXISTED AT THAT TIME FOR NOT PLEADING OVER, IN MY OPINION, STILL OBTAIN TODAY./MORE/

INSERT NO. 1...

IN THE SECOND PARAGRAPH OF YOUR LETTER OF MAY 19TH YOU SUGGEST THAT A MOTION FOR LEAVE TO ANSWER OVER BE FILED, AND YOU FURTHER SUGGEST THAT AN ANSWER BE ATTACHED THERETO DENYING THE ALLEGATIONS THAT THE PAROLE BOARD HAD NO INFORMATION OF PAROLE VIOLATIONS, DENYING THAT THERE WERE NO PAROLE VIOLATIONS, AND ALLEGING AFFIRMATIVELY THAT THE BOARD HAD INFORMATION OF VIOLATIONS AS ALLEGED IN THE REFERRALS SET OUT AT PAGE 785 OF THE PRINTED RECORD. WE MIGHT SUCCESSFULLY MAKE THE DENIALS ABOVE MENTIONED., HOWEVER, WE ENCOUNTER DIFFICULTY WHEN WE CONSIDER THE AVERMENTS YOU SUGGESTED.

CHARGE NO. 1 IN THE REFERRALS SETS FORTH THE FAILURE TO MAKE FULL AND TRUE WRITTEN REPORTS TO THE SUPERVISOR OF PAROLE., NO. 2, UNTRUTHFUL STATEMENTS COVERING EXPENSES DURING MONTHS OF DECEMBER 1947 AND JANUARY 1948.

WE DO NOT KNOW WHAT, IF ANY, SPECIFIC EVIDENCE YOU HAVE IN MIND TO SUPPORT THE FOREGOING CHARGES. YOU SUGGEST THE INCIDENT OF THE WEDDING REPORTED IN AGENT RIGHTMEIER-S REPORT OF JUNE 12, 1948. ASSUMING THAT ALL OF THE MATTERS AS SET FORTH IN AGENT RIGHTMEIER-S REPORT OF JUNE 12TH CAN BE PROVEN, DELUCIA HAS EXPLAINED THIS TRANSACTION BY STATING, IN SUBSTANCE, THAT THE MONEY USED FOR THE WEDDING EXPENSES OF HIS DAUGHTER WAS MADE UP FROM THE NUMBER OF GIFTS GIVEN BY THE PERSONS WHO ATTENDED THE WEDDING.

DELUCIA SUBMITTED REPORTS AS SET FORTH IN THE PRINTED RECORD, PAGES 143 THROUGH 153. SO FAR AS WE KNOW, THERE IS NO EVIDENCE AVAILABLE TO DEMONSTRATE THAT ANY OF SAID REPORTS MENTIONED IS FALSE OR UNTRUTHFUL. THEY ARE OBVIOUSLY INCOMPLETE, BUT THE RESPONSIBILITY FOR EXACTING CORRECT AND COMPLETE REPORTS LIES WITH THE PAROLE SUPERVISOR AND THERE IS NO EVIDENCE THAT ANY INFORMATION WAS DEMANDED AND REFUSED BY THE PAROLEE.

/MORE/

TTTTW

83 WA CG ATTY GENL DEPT OF JUSTICE PAGE 4

CHARGE NO. 3 IN THE REFERRAL MAKES REFERENCE TO ASSOCIATION WITH PERSONS OF BAD REPUTATION. THERE IS NO EVIDENCE THAT WE KNOW OF TO SUPPORT THIS CHARGE, EXCEPT POSSIBLY HIS BUSINESS ASSOCIATION WITH REFERENCE TO THE MANAGEMENT OF HIS FARM IN KENDALL COUNTY BY ONE FRANCIS CURRY. WHILE FRANCIS CURRY IS A PERSON OF ILL REPUTE IN HIS COMMUNITY, HAVING OPERATED HAND BOOKS AND SLOT MACHINES AND POSSIBLY CONDUCTING OTHER ILLEGAL BUSINESSES, WE HAVE NO PROOF THAT DELUCIA WAS AWARE OF THAT FACT. THE ONLY ASSOCIATION BETWEEN CURRY AND DELUCIA APPEARS TO BE THAT CURRY MANAGED DELUCIA-S FARM WHILE DELUCIA WAS INCARCERATED.

WITH REFERENCE TO CHARGE NO. 4 SET OUT IN THE REFERRAL, NAMELY, FAILURE TO CONDUCT HIMSELF HONORABLY, WE HAVE NO PROOF TO SUBSTANTIATE THAT CHARGE.

IN YOUR LETTER WITH REFERENCE TO CHARGE NO. 5 IN THE REFERRAL, YOU STATE IT IS BASED UPON HIS TESTIMONY BEFORE THE CONGRESSIONAL COMMITTEE "BOTH AS TO THE FLIGHT FROM KANSAS CITY TO CHICAGO AND THE SOURCE OF THE TAX MONEY". CHARGE NO. 5 AS SET OUT IN THE REFERRAL MAKES NO REFERENCE TO THE FLIGHT FROM KANSAS CITY TO CHICAGO, AND DELUCIA-S EXPLANATION AS TO THE SOURCE OF THE MONEY TO BE USED FOR TAX SETTLEMENT IS MERELY THAT HE DOESN-T KNOW WHO SUPPLIED IT, WHICH, ALTHOUGH SOUNDING IN FANTASY, CANNOT BE REPUDIATED BY ANY COMPETENT PROOF.

IN VIEW OF THE FOREGOING WE BELIEVE THE POSITION OF THE GOVENMENT IN MEETING THE FACTUAL ISSUED RAISED BY THE CHARGES LAID IN THE REFERRAL WOULD BE UNTENABLE, NOT TO SAY RIDICULOUS. IF WE NOW CONTEND THAT THESE ALLEGATIONS OF FACT CONTAINED IN OUR ANSWER OR IF WE ATTEMPT TO SET UP ALLEGATIONS OF FACT IN SUPPORT OF THESE CHARGES IN OUR ANSWER, IT SEEMS TO ME THAT WE

/MORE/

C

CONDEDE THEN THE JURISDICTION OF THE DISTRICT COURT TO INQUIRE FACTUALLY INTO THE MATTER AND CONDUCT IN SUBSTANCE THE HEARING THAT THE STATUTE SAYS SHOULD BE CONDUCTED BY THE PAROLE BOARD.

WE MIGHT THEREBY CONCEIVABLY LOSE WHATEVER ADVANTAGE WE FELT WE HAD WHEN WE STOOD BY OUR DEMURRER IN THE FIRST INSTANCE. IT MIGHT WELL BE THAT WE WOULD WIND UP WITH NO CASE AT ALL EITHER IN LAW OR IN FACT.

INSERT NO. Q2

TECHNICALLY, EVEN OUR ANSWER MUST ADMIT THAT ON JUNE 7 1948 JUDGE ROGERS HAD NOT RECEIVED ANY COMPLAINT AS TO ANY VIOLATION OF PAROLE BY DE LUCIA. SINCE HE IS THE MEMBER OF THE PAROLE BOARD WHO ISSUED THE WARRANT, ANY INFORMATION THAT HE ACTED UPON MUST HAVE BEEN RECEIVED BY HIM SUBSEQUENT TO THE LAST DAY THAT HE TESTIFIED BEFORE THE CONGRESSIONAL COMMITTEE. THIS MEANS THAT SOME TIME BETWEEN JUNE 7, 1948 AND JUNE 15, 1948, THE DATE UPON WHICH THE PAROLE WARRANT WAS ISSUED AND THE DATE UPON WHICH THE CHARGES IN THE REFERRAL WERE ISSUED, THE INFORMATION UPON WHICH JUDGE ROGERS ACTED WAS MADE AVAILABLE TO HIM. ADMITTEDLY, THE FACTS CONSTITUTING THE CHARGES IN THE REFERRAL OCCURED PRIOR TO JUNE 7, 1948. I MUST ASSUME THAT THE INFORMATION UPON WHICH JUDGE ROGERS ACTED IS INFORMATION GATHERED FROM THE FBI REPORTS TO WHICH YOU HAVE REFERRED IN YOUR LETTER OF MAY 19, 1950.

WE HAVE NO OTHER AVAILABLE INFORMATION WITH RESPECT TO PAROLE VIOLATION AT OUR COMMAND. SUCH BEING THE CASE, MY PREVIOUS OBSERVATIONS WITH RESPECT TO THE REFERRALS WOULD INDICATE A FURTHER WEAKNESS IN THE GOVERNMENT-S POSITION.

I RESPECTFULLY SUGGEST, THEREFORE, THAT THE DEPARTMENT FURTHER RECONSIDER ITS PRESENT POSITION WITH RESPECT TO PLEADING OVER.

OTTO KERNER JR U S ATTY

HL 150P

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: 11/19/52

FROM : H. H. Clegg

CONFIDENTIAL

SUBJECT: PAUL DeLUCIA alias PAUL RICCA
PAROLE MATTER

DECLASSIFIED BY SP5 ... ON 3/7/95

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease
Gandy

Mr. Robert L. Stern, Acting Solicitor General, in remarks which he made to me "off the record," advised that he had heard that a newspaper man called the Attorney General and asked if it were true that there was to be no appeal in the DeLucia alias Ricca case. The Attorney General didn't know about it and stated that he didn't, which was true. The Attorney General then allegedly told the newspaper man that he would find out who was responsible for sending the wire to the U. S. Attorney at Chicago and who was responsible for such a decision.

These statements, Mr. Stern thought, were the occasion for the current inquiry by the FBI and he assumes that the Attorney General wanted to be able to tell the press that he had had the matter "looked into by the FBI." He indicated that lawyers were usually more objective and the mere fact that there was publicity about the parole should not, of course, deter any attorney from reaching a decision which was completely objective. He felt that attorneys would not feel that publicity in such cases should cause any modification of their decisions. I inquired if in cases in which there might be involved considerable publicity, even if the lawyer were completely objective, he did not feel it important to call such matters to the attention of the Attorney General. He stated he had been in the Department 11 or 12 years and knew of no regulations to this effect, but it was likely that the Solicitor General might care to discuss some cases of this type with the Attorney General; but it was not customary for the Solicitor General's office to notify the Attorney General of their decisions.

Even in the memorandum which Mr. Stern has prepared explaining the Solicitor General's office consideration of the DeLucia matter he again refers to the fact that there is no requirement for such a review of Solicitor General's opinions by the Attorney General and although the Solicitor General may discuss matters of public interest with the Attorney General, it did not occur to him that the DeLucia case was of the type that required such a discussion.

158-2000-2120

RECORDED-20

13 NOV 28 1952

cc: Mr. Ladd
Mr. Nichols
Mr. Rosen

EX-113

HHC:vlr

57 DEC 5 1952

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
NOV 14 1952
TELETYPE

Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Rosen
Mr. Tracy
Mr. Laughlin
Mr. Mohr
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/2/95 BY Sesalm

FBI CHICAGO 11-14-52 11-44 PM CST [illegible] EJP

DIRECTOR FBI U R G E N T

LOUIS CAMPAGNA, WAS ETAL. BRIBERY., PAROLE MATTER. REBUCALL NOVEMBER FOURTEENTH. CHIEF PROBATION OFFICER BEN MEEKER, CHICAGO, NOT ASSIGNED THIS OFFICE DURING PERTINENT PERIOD AND HAS NO INFORMATION OTHER THAN THAT IN HIS FILES. HIS PREDECESSOR, FISHER, HAS BEEN RETIRED LAST FEW YEARS. REVIEW OF PROBATION FILE REFLECTED ON JULY NINE, NINETEEN FORTY-EIGHT, DURING AN APPARENTLY ROUTINE INTERVIEW, DELUCIA WAS QUESTIONED BY PROBATION OFFICERS RE SOURCE OF MONEY SPENT ON DAUGHTER-S WEDDING. DELUCIA EXPLAINED THAT THE EXPENSES WERE PAID OUT OF CASH CONTRIBUTIONS OF THE GUESTS AND THAT THE RECEIPTS WERE MADE OUT TO ONE ALEX PONZIO. THESE RECEIPTED BILLS WERE EXAMINED BY THE PAROLE OFFICER. HE CLAIMED TO HAVE A LIST OF ALL THE CONTRIBUTORS, THAT HE COULD PROVE THAT THEY PAID THE EXPENSES, AND THAT THEY WOULD BE WILLING TO TESTIFY IF NECESSARY. ONLY PREVIOUS REFERENCES TO WEDDING APPEARED IN NOTATION OF OCT TWENTY-SECOND, NINETEEN FORTY-SEVEN WHEN DELUCIA TOLD OFFICER HIS DAUGHTER EXPECTED TO MARRY IN NINETEEN FORTY-EIGHT AND IN THAT ON DEC. THIRTY, NINETEEN FORTY-SEVEN, WHEN HE TOLD OFFICER THAT DAUGHTER WAS GETTING MARRIED JAN., NINETEEN FORTY-EIGHT AND RECEPTION WOULD BE AT PALMER HOUSE. FILE INDICATES NO ACTIVE INVESTIGATION THIS POINT CONDUCTED BY PROBATION OFFICE. AMSD LETTER RE INTERVIEW WITH USA AND DETAILS ON ABOVE FOLLOWS.

MALONE

END ACK PLS

12-48 AM OK FBI WA ILM

RECORDED - 78 116-2000-2121
EX-113 NOV 25 1952
DEC 4 1952

cc Mr Rosen

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: November 17, 1952

FROM : SAC, Chicago

SUBJECT: LOUIS CAMPAGNA, was., ET AL
BRIBERY; POLICE MATTERS

Attached herewith is a memorandum reflecting the results of an inquiry in regard to the teletype sent to the Office of the United States Attorney at Chicago from the Office of the Attorney General at Washington on November 7, 1952, in regard to the above-captioned case.

JFM:MHM

Attachment

3/7/95 SPSA/aw

100-2122

RECORDED - 78

EX-113

INFORMATION CONCERNING TELETYPE SENT TO
UNITED STATES ATTORNEY, CHICAGO, ILLINOIS,
SIGNED BY CHARLES B. MURRAY,
ASSISTANT ATTORNEY GENERAL, OF WASHINGTON, D.C.

The teletype in question was sent over the wires of the Public Buildings Service as message number 377. Inquiry at the United States Attorney's Office at Chicago and at the Public Buildings Service, Teletype Center, Room 426, U.S. Court House, Chicago, reflects that message number 377 was transmitted from the P.B.S. teletype room in Washington, D.C., starting at 6:27 p.m. on November 7, 1952. Transmittal of the message was completed at 6:31 p.m., Washington Time. The message was clock-stamped at the P.B.S Teletype Center at Chicago as having been received at 5:38 p.m., Chicago Time.

[redacted] Telegraphic-Teletype [redacted] of the P.B.S. Teletype Center at Chicago, advised that message number 377, according to "P.B.S. teletype writer and message delivery and receipt list" for November 10, 1952, was delivered to the Office of the United States Attorney, Room 450, on November 10, 1952. The message was delivered by P.B.S. [redacted] at which time she obtained the signature [redacted] U.S. Atty." on the delivery receipt, which she returned to the P.B.S. files. [redacted] is a switchboard operator at the United States Attorney's Office, according to [redacted] The original of the message in the United States Attorney's Office was clock-stamped as having been received at 9:02 a.m. on November 10, 1952.

b6
b7C

[redacted] explained the lapse in time between receipt in their office and delivery of the message to the United States Attorney by saying that it was an oversight, or error in their office and that the message should have been sent out for delivery Saturday. She said that since the message was received Friday evening after working hours (5:38 p.m.) no messenger was available to deliver it at that time and they have received instructions that messages for the United States Attorney's Office are to be by delivery only and are not to be called to them over the phone as is done with messages for some other government agencies.

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HEREIN IS UNCLASSIFIED
DATE 3/12/95 BY SP5 [illegible]

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42 OCT 3 1974

According to the normal procedure, the P.B. S. Night Supervisor should have placed this message in a sealed envelope with a delivery slip attached and left it with the building guard. Since the P.B.S. Office is closed on Saturday, the guard on duty on Saturday would then have given it to the first one coming into the building and signing the register as an employee at the United States Attorney's Office. [redacted] said that the message must have been inadvertently placed in the messages for delivery on Monday morning. She checked with the Night Supervisor as to any possible instructions or unusual circumstances, but was informed there were none and that the error in delivery resulted.

b6
b7C

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

NOV 18, 1952

TELETYPE

FBI CHICAGO 11-17-52 10-50 PM

DIRECTOR, FBI U R G E N T

LOUIS CAMPAGNA, WAS, ETAL BRIBERY, PAROLE MATTER. RE PHONE CALL CG TO BUREAU TONIGHT. AIRLINE FLIGHTS TONIGHT TO WASHINGTON CANCELLED ACCOUNT BAD WEATHER AT DESTINATION. DATA THIS CASE WILL BE FORWARDED CARE OF CAPTIN UAL FLIGHT NO. SIX THREE SIX LEAVING CG SIX THIRTY AM TOMORROW, ARRIVING WASHINGTON TEN AM WASHINGTON TIME. REQUEST AGENT MEET PLANE TO RECEIVE AND DELIVER PACKAGE TO SUPERVISOR WINTERODD BUREAU.

MALONE

CORR GINE FOUR WORD FOUR SHD BE "CAPTAIN"

END AND ACK PLS

11-52 PM OK FBI WA LEA

TU DISCM

1205 AM 11/18/52 G.I.R.

Horner, W70 advised AM

RECORDED - 18 158-2000-2123

NOV 25 1952

EX-113

62 DEC 4 1952

cc Mr Horner
Mr Harbo

STANDARD FORM No. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (58-2000)

DATE: November 17, 1952

FROM : SAC, Chicago (58-194)

SUBJECT: LOUIS CAMPAGNA, Was; ET AL
BRIBERY; PAROLE MATTER

Enclosed herewith are the results of the following investigations:

Interview with United States Attorney OTTO KERNER, JR.
Interview with Assistant United States Attorney JOHN P. LULINSKI.
Review of files of the United States Attorney, Chicago.
Interview with Chief Probation Officer BEN MEEKER, Chicago.
Review of probation office files.
Interview with JOSEPH G. COLOSIMO, U. S. Probation Officer.

It will be noted that a review of the United States Attorney's files reflects that contact was had by an unidentified assistant united states attorney with the probation office at Chicago for the purpose of determining the information available concerning the wedding incident. This contact was made subsequent to Judge IGOE'S order although prior to the date this order was actually entered on the record. It was made following receipt of the Department's letter of September 3, 1952, for the purpose of answering the inquiry therein contained.

Encs. (6)
FWM:amd

cc: 1-Washington Field Office

RECORDED-14

INDEXED-14

58-2000-2124

6-

DEC 4 1952

INTERVIEW OF OTTO KERNER, JR.,
UNITED STATES ATTORNEY
NORTHERN DISTRICT OF ILLINOIS
CHICAGO, ILLINOIS

United States Attorney KERNER was interviewed on November 14, 1952, by SAC JOHN F. MALONE and Supervisor WAYNE MURPHY.

He stated that he was well aware of the fact that the FBI investigation of June 12, 1948, reflected that PAUL DE LUCIA paid the entire amount of $12,324.58 in cash with bills of $100 denomination to the Blackstone Hotel, Chicago, to defray the expenses of his daughter's wedding reception. USA KERNER further stated that he was also aware of the fact that DE LUCIA through his lawyers at a habeas corpus hearing before Federal Judge MICHAEL L. IGOE on or about July 8, 1948, contended that the money for reception at the Blackstone Hotel on January 24, 1948, was contributed by guests.

USA KERNER stated that he purposely did not request the FBI to conduct further investigation in order to determine the source of the money in question because he had planned to have DE LUCIA placed on the stand and questioned under oath as to the source of the money in question. Mr. KERNER added that his reason for planning this strategy was with the thought in mind that with DE LUCIA under oath he may have been able to catch him in a lie and bring a charge of perjury against him.

Mr. KERNER felt that any investigation on the part of the FBI would serve to alert DE LUCIA as to the plan he had in mind prior to having him placed on the stand. Mr. KERNER further stated that no written record was made of the above indicated plan of strategy but that he did discuss the matter with Assistant USA JOHN P. LULINSKI. Mr. KERNER advised that he never had an opportunity to place his plan into effect because DE LUCIA was never placed on the stand. add(12)

According to USA KERNER, he did not discuss the source of the money for the wedding reception with anyone from the Parole Office in Chicago.

INTERVIEW OF JOHN P. LULINSKI
ASSISTANT UNITED STATES ATTORNEY
CHICAGO, ILLINOIS

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Mr. LULINSKI was interviewed by Special Agents FRANCIS W. MATTHYS and JOHN R. PHILIPS, JR., at the office of the United States

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42 OCT 3 1974

ENCLOSURE

Attorney, Chicago, on November 17, 1952, in conjunction with the review of the files of the United States Attorney, Chicago. Mr. LULINSKI stated that he had assisted Mr. OTTO KERNER, JR., United States Attorney, Chicago, in handling the DE LUCIA case.

Mr. LULINSKI stated that in connection with the first parole violator warrant issued for DE LUCIA, the government elected to stand on the point of law that no evidence was required to return a parolee to the penitentiary prior to a hearing by the parole board.

Insofar as the second parole violator warrant issued for DE LUCIA was concerned, Mr. LULINSKI furnished substantially the same information as that set forth under the interview with United States Attorney OTTO KERNER, JR., to the effect that no supplemental investigation was requested of the FBI relative to the wedding reception of DE LUCIA's daughter in January, 1948.

Mr. LULINSKI said that this was in accordance with the strategy contemplated by the United States Attorney's Office based upon the thought that DE LUCIA would be placed on the stand to testify concerning this wedding reception. Mr. LULINSKI also stated that his office received no written reports or communications from the office of the United States Probation Office, Chicago, concerning this wedding matter.

Insert (2).

REVIEW OF FILES AT THE OFFICE
OF THE UNITED STATES ATTORNEY
CHICAGO, ILLINOIS

On November 17, 1952, the file of the United States Attorney, Chicago, Illinois, was reviewed by Special Agents FRANCIS W. MATTHYS and JOHN R. PHILIPS, JR., Chicago. A part of this file is a volume designated as a transcript of the record in the U. S. Court of Appeals, Seventh Circuit, Case No. 9788, entitled U. S. ex rel. PAUL DE LUCIA vs. THOMAS P. O'DONOVAN.

This volume was filed in U. S. District Court, Chicago, Northern District of Illinois, on December 31, 1948, and was filed in the Court of Appeals, Seventh Circuit, on July 19, 1949.

According to Mr. JOHN P. LULINSKI, Assistant United States Attorney, Chicago, approximately 30 copies of this volume were furnished to the Department of Justice, Washington, D. C., in connection with a proposed appeal of this matter to the United States Supreme Court. Mr. LULINSKI stated that the appeal to

the Supreme Court was never actually carried out, having been withdrawn by the Department of Justice.

It is noted that JOSEPH G. COLOSIMO, U. S. Probation Officer, Chicago, Illinois, who supervised the parole of PAUL DE LUCIA during the early years of his parole, is referred to in the above described volume on Pages 361 and 459. This reference to Mr. COLOSIMO concerns his testimony before a Congressional Committee (not further identified in this part of the volume, but apparently this was the Hoffman Committee).

In his testimony, Mr. COLOSIMO furnished information concerning the general activity and operations of the Chicago Probation Office as it related to PAUL DE LUCIA but there was no mention of any investigation or information in possession of the U. S. Probation Office at Chicago concerning a wedding reception held for PAUL DE LUCIA's daughter in January, 1948, at the Blackstone Hotel, Chicago.

The files of the United States Attorney, Chicago, contained a signed copy of a document entitled, "Memorandum and Explanation of Referral." This document was signed "GEO. G. KILLINGER, Chairman, U. S. Board of Parole" and was dated November 22, 1950. This document was received by the United States Attorney, Chicago, in an envelope addressed to OTTO KERNER, JR., United States Attorney, Chicago, marked "Personal and Confidential" and postmarked November 22, 1950, 9:00 P. M., Washington, D. C., and a postmark indicated that it was received at Chicago, Illinois, on November 23, 1950, at 7:30 A. M. This document sets forth information which appears to be some detail of the reported irregularities or violations upon which a parole violators warrant was issued for PAUL DELUCIA. Information in this document is being quoted as follows:

"1. This relates to the wedding breakfast and subsequent reception for De LUCIA's daughter held at the Blackstone Hotel, Chicago, on January 24, 1948. Payment for this service was made on January 26, 1948, at which time DE LUCIA paid $12,324.58 to Mr. CHARLES MIKUTA, Maitre de' hotel, at the Blackstone. This payment was made in cash of $100 bills which DE LUCIA pulled from his own packet.

"DE LUCIA's monthly parole report for the month of January, 1948, failed to disclose the foregoing expenditure, he having shown on the said

"report a total expenditure of only $5,205.69 which included $3,205.69 for capital expenditures at the farm and $2,000 for living expenses, respectively.

"2-3 This relates to DE LUCIA's failure to disclose the source of money which was used in settlement of his federal income tax liability when questioned relative thereto by two legally constituted bodies, namely, by the Chicago Federal Grand Jury convened in 1947 and in September, 1590 by the Special Committee to Investigate Organized Crime in Interstate Commerce, U. S. Senate, 81st Congress, popularly termed the Kefauver Committee.

"4. On August 13, 1947, upon the release from Leavenworth Penitentiary, DE LUCIA returned to Chicago by air from Kansas City, Missouri, on TWA flight No. 388. The records of TWA and statements of flight personnel show that six tickets were purchased for this flight in the name of 'BERNSTEIN' and that all six tickets were used on that flight. When questioned by a Federal Grand Jury, convened in Chicago in 1947, DE LUCIA admitted that he was accompanied by BERSTEIN, the same individual who affected settlement of DE LUCIA's federal tax liability, by LOUIS COMPAGNA and by CHARLES GIOE, but failed to identify his other two travelling companions on this flight.

"5. This relates to the preceding four specific violations alleged in the 'referral' and is in violation of condition No. 6 of the terms of his parole.

"Witness my hand and the seal of this board this 22nd day of November, 1950.

"/s/GEO. G. KILLINGER,
Chairman, U. S. Board
of Parole."

Assistant United States Attorneys JOHN P. LULINSKI and ANTHONY SCARIANO stated that this information was received from the Board of Parole, Washington, D. C., to assist in the prosecution of the DE LUCIA matter but they had no information as to where the Board of Parole obtained the information quoted above.

Another reference to the wedding reception of DE LUCIA's daughter was noted on Pages 55 and 56 of the transcript of record, case No. 9788, in the U. S. Court of Appeals, Seventh Circuit, mentioned above. This reference to the wedding matter was contained in a Traverse filed for PAUL DE LUCIA on July 9, 1948, and is a relatively short statement that the wedding of DE LUCIA's daughter and the reception which followed did not result in any parole violation by DE LUCIA. It was stated that parole reports filed by DE LUCIA during that time were truthful and that parole officers agreed that any mistakes could be corrected by DE LUCIA at the end of the year 1948.

A letter dated September 3, 1952, from CHARLES B. MURRAY, Assistant Attorney General, to United States Attorney OTTO KERNER at Chicago mentioned among other things the following:

> "Of particular interest is Judge IGOE'S statement and summary disposition of DE LUCIA'S failure to have reported the handling of the substantial sum covering the expenses incident to his daughter's wedding reception. The court found that sum to have been the property of the newly married couple in the absence of evidence supporting the proposition that the funds belonged to the petitioner, DE LUCIA. It is further stated that a full report of the transaction was made by the petitioner to parole authorities meaning probably the Probation Office at Chicago, and that such report was accepted. You have all the facts and are therefore in a position to determine whether they support the view taken by the court."

In a letter of September 23, 1952, from the United States Attorney at Chicago to the Department of Justice, Mr. KERNER wrote as follows:

> "The Chicago Probation Office advised us that it was agreed between DE LUCIA and that office that DE LUCIA would make a complete report of the wedding incident through the probation officer at the end of that particular year. This report, we are informed, was made by DE LUCIA, and it is the same as the explanation given thereafter by the relator, namely, that the fund was derived as gifts from the guests who attended the wedding. DE LUCIA, has, of course, in the prior habeas corpus proceedings submitted affidavits to that effect, and he has reiterated same in the instant case under oath."

With reference to the matter of appeal in the letter of September 3, 1952, from CHARLES MURRAY, Assistant Attorney General, to United States Attorney OTTO KERNER mentioned above, the closing paragraph thereof requests the United States Attorney to submit his recommendations for or against appeal. In the United States Attorney's letter of September 23, 1952, also mentioned above, the United States Attorney stated:

> "....And appeal in this matter would raise the issue as to whether or not the district report made, on a petition for a Writ of Habeas Corpus, inquiry into the facts upon which a parole violation warrant was issued, before the Parolee is taken before the Parole Board for a hearing upon the warrant.... However, we feel that there is nothing to be gained by prosecuting such an appeal

in the instant case unless we can thereafter, at a Parole Board hearing, support the charges made in the warrant and in the referral thereto.

"It is our belief that such evidence is lacking and that if the Parole Board revokes parole the Parolee in this case would no doubt, be discharged upon the Writ of Habeas Corpus, after inquiry is made with respect to the evidence needed to support such revocation."

The letter closes with a request for recommendations and instructions with reference to prosecuting the appeal from the Department. Nothing further is contained in the file concerning the appeal until October 31, 1952, when the United States Attorney sent a telegram to the Department referring to the above letter and reminding the Department that judgement was entered by Judge IGOE on September 9, 1952, and that the appeal period soon expires. This teletype requested instructions as to what action the United States Attorney's Office should pursue regarding the appeal.

Next in the file is a memorandum to the file submitted by Assistant United States Attorney JOHN P. LULINSKI dated November 6, 1952, which records his discussion on that date with United States Attorney OTTO KERNER concerning the fact that the appeal period in this matter expires on November 8, 1952, and that as of November 6, 1952, nothing has been heard from the Department as to whether or not an appeal should be taken.

MR. LULINSKI then telephonically contacted MR. ERDAHL who was in the Appeal Section of the Criminal Division of the Department of Justice, and at about 11:00 a.m. on November 6, 1952, was told by ERDAHL that he was surprised that no communication from the Department had been received by the United States Attorney directing that no appeal be taken. MR. ERDAHL was certain that the Solicitor General had ruled against an appeal but at the moment of the telephone conversation was unable to locate the memorandum to that effect. The conversation was concluded upon the understanding that the appeal was to be dropped unless instructions to the contrary were received from the Department. MR. LULINSKI's memorandum reflects that he immediately advised Assistant United States Attorney ANTHONY SCARIANO and United States Attorney OTTO KERNER and further that at the end of that day, Friday, November 6, 1952, he checked but found no communication had been received at the office concerning the DE LUCIA appeal.

INTERVIEW OF BEN MEEKER, CHIEF PROBATION OFFICER, CHICAGO

On the evening of November 14, 1952 SAs JOHN R. PHILIPS and F. W. MATTHYS interviewed Chief Porbation Officer BEN MEEKER in his office in the Court House. He advised that he was not assigned to the Chicago Office during the pertinent period in which we were interested, but that his predecessor, FISHER, was in charge. FISHER has been in retirement for the last few years. He stated that his only knowledge concerning the DE LUCIA matter was that contained in his files. He made the file available for review, which review was conducted in the presence of Probation Officer JEROME J. CONDON, who is presently DE LUCIA's parole officer. Officer COLOSIMO supervised DE LUCIA during early years of his parole, but because of illness in his family, COLOSIMO was not available for interview. He is expected to return to duty on November 17, 1952.

REVIEW OF FILES AT PROBATION OFFICE, CHICAGO, ILLINOIS

The file at the Probation office disclosed that the first information concerning the wedding of DE LUCIA's daughter was in a running memorandum prepared by Probation Officer JOSEPH G. COLOSIMO for the file, reflecting a brief summary of each contact he had with DE LUCIA. The first mention of the wedding was dated October 22, 1947 to the effect that DE LUCIA stated that he bought two Cadillac cars, one for himself, and one for his daughter, MARY, who expected to marry in 1948. At that time, DU LUCIA asked COLOSIMO if he could attend his daughter's wedding in the spring of 1948, and he was told that such attendance would in no way effect his parole as long as he kept himself inconspicuous and brought no embarrassment to the officer or the Parole Board. The next mention of this wedding was dated December 30, 1947 when DE LUCIA told COLOSIMO that his daughter, MARY, was getting married in January, 1948 and that a reception would be held at the Palmer House Hotel. The next reference to the wedding appeared under date of April 12, 1948, in an entry in the running memorandum stating that COLOSIMO had lunch with DE LUCIA at the Palmer House where he showed DE LUCIA an article in the St. Louis Post Dispatch (not further described). It was stated that DE LUCIA was amused

at the article and remarked that there were only 20 guests at the wedding breakfast and 500 guests at the reception of his daughter's wedding. DU LUCIA said the news story was a "bunch of lies".

Under date of May 27, 1947 (apparently should be 1948 because it follows an entry of May 26, 1948) COLOSIMO noted that he discussed source of income with DE LUCIA, and examined an accounting book which DE LUCIA had in his desk. DE LUCIA said he would furnish officer with a full financial report at the end of the year when all information became available from his farm operation. This information was furnished to Mr. URICH, Parole Executive, Washington, D.C. by notation on DE LUCIA's monthly report for May, 1948.

The next and final entry in the running memorandum concerning the wedding appeared under date of July 9, 1948 and is being set forth verbatim:

"7/9/48 DeLUCIA in office with officer and Mr. FISHER. He said he had evidence to prove that he did not pay for the wedding from his own funds and had receipts which were in the name of ALEX PONZIO and not his. He also has a list of all the contributors at the wedding and that he will prove that the wedding expenses were paid from cash contributions of the guests. He also said he has not associated with anyone of poor reputation and is able to prove that in Court or to the Parole Board. He did say that he had some more dealings to complete with FRANCIS G. CURRY on the purchase of the farm machinery which CURRY had left him to buy so he coulduse on the farm. It was suggested to him that he deal by correspondence through his bookkeeper rather than try to contact CURRY personally. He agreed to follow through on the plan and had the consent to do so on the approval of the officer and Mr. FISHER, Chief, who concurred. Mr. DeLUCIA said it was foolish for one to think that he would violate the conditions of his parole which was granted to him. He did not or ever intended to make a move without advising the Probation Officer first and so far he has communicated with the officer on all matters concerning himself, his farm, etc. In closing his remarks to the officer, Mr. DeLUCIA said 'It is an honor to be on parole and I never

"had any intentions of ever violating my parole and if I have to go back to prison, I will die there and I intend to fight this thing through because I am not a violator as others would want to make you believe'.

JGC:AN"

There was also in the file, two sheets of yellow lined paper with pencil notes appearing to be notes taken during the conference quoted immediately above. These notes are set forth as follows:

"7/9/48 Wedding Note Total Expenses $25,657.07.
Bills - name of ALEX PONZO. Saw bills.
Wedding reception was paid for from monies received.
Has a list of all the contributors. Contributions more than enough to cover wedding.
Has a record of all monies contributed and names and addresses of guests.
Wedding bills paid 1/26/48 Blackstone Hotel.
If a showdown (illegible, but believed to be showdown) witnesses are willing to testify."

INTERVIEW OF JOSEPH G. COLOSIMO

although not requested to do so by anyone,

JOSEPH G. COLOSIMO advised that he was the original probation officer for PAUL DE LUCIA. He stated that at the time of the marriage of DE LUCIA's daughter, MARY, he on his own initiative as probation officer made an investigation into the source of the money received and used to pay for the wedding reception at the Blackstone Hotel. *He actually saw the receipts from the hotel made out in the name of ALEX PONZO, who was the groom's father. He saw also a list of all the guests and the amounts contributed by each, properly credited to each name. There was a total of approximately $50,000 contributed. He stated that he had never discussed this wedding or the monies involved in connection therewith with anyone from the United States Attorney's office except in casual conversation. He was never asked to conduct an investigation into the wedding incident by anyone, including the United States Attorney's Office, the Parole Board, or any other agency. **

Although he was subpoenaed to appear before Judge IGOE on July 8, 1948, and again on May 16, 1952, he was not called to testify on either occasion. He was subpoenaed by DE LUCIA's attorney, and it was his understanding that he was not called upon through the action of the United States Attorney's Office.

The only Congressional Committee before which he testified was the Hoffman Committee back in September, 1947. Since this was prior to the wedding incident, naturally no testimony concerning the wedding was involved.

* He stated he along with Charles W. Fisher interviewed De Lucia who satisfied them as to the source of the money.

** He further stated he was satisfied that no violation of parole resulted from the wedding reception and no report was made or deemed necessary either to the Parole Board in Washington or to the United States Attorney. He stated he felt there was no responsibility to make a report to the United States Attorney, but if such was necessary, Fisher would have been responsible to make it.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: November 16, 1952

FROM : SAC, LOS ANGELES (58-125)

SUBJECT: LOUIS CAMPACNA, was., et al
BRIBERY AND PAROLE MATTER

Origin: CHICAGO
RE: Chicago teletype to Los Angeles dated November 15, 1952.

In compliance with the referenced teletype and a telephone conversation between SAC MALONE of Chicago and SA FORREST F. JOHN of this office on November 15, 1952, there is enclosed herewith for the Bureau a report insert reflecting an interview with CHARLES W. FISHER, formerly Chief United States Probation Officer in Chicago.

SAC MALONE instructed that an original and six copies be prepared and forwarded to the Bureau as an insert for investigative report and that the Bureau would forward one of these copies to the Washington Field Office. One copy of the insert is being forwarded to the Chicago Office for information purposes.

FFJ/fbk
AMSD

G.I.R.-3

Enclosure 7 - Bureau
CC 2 - Chicago (AMSD) (Enclosure - 1)

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Interview with Charles W. Fisher, former Chief Chief United States Probation Officer Chicago, Illinois.

(AT LOS ANGELES, CALIFORNIA)

Mr. CHARLES W. FISHER, former Chief United States Probation Officer at Chicago, Illinois, now retired, was interviewed on November 15, 1952 at the residence of his [redacted] North Hollywood, California, telephone SUnset 2-4123. The interview was conducted by Special Agent LOGAN J. LANE.

Mr. FISHER recalls subject PAUL DE LUCIA by his alias PAUL RICCA. He has no recollection of specific dates, but it is his best recollection that a short time prior to the arrest of DE LUCIA in about July, 1948, Parole Officer JOSEPH G. COLOSIMO of the United States Probation Office in Chicago, called Mr. FISHER to sit in on an interview COLOSIMO conducted of PAUL DE LUCIA. According to Mr. FISHER, it was the custom in his office for his subordinates to ask him to sit in on interviews they conducted with parolees or probationers who were prominent by reason of publicity they had received. On this occasion, the subject matter of a wedding reception for a daughter of DE LUCIA was discussed. Mr. FISHER said he has no recollection as to how the item was brought up during the interview, although COLOSIMO had some information about it. The questioning of DE LUCIA was, in part, regarding the monthly financial reports he was required to make to the United States Probation office reflecting his income and expenses.

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It is Mr. FISHER's recollection that approximately $12,000 to $15,000 was spent on the wedding reception under discussion, and DE LUCIA claimed that he had not reported the expenditure of that money to the United States Probation office as the expenses were paid by guests and friends rather than by DE LUCIA, and DE LUCIA maintained he had not violated the terms of his parole in not reporting the expenditure. Mr. FISHER said he has a faint recollection that some relative of DE LUCIA, possibly an uncle, had contributed a large amount toward the expenses of the reception, and he thinks DE LUCIA may have made such a statement at the interview. Mr. FISHER also recalls that DE LUCIA commented he had the names of the guests attending the reception, and their addresses, and that these persons could testify as to their contributions to the reception expenses. Mr. FISHER said that while the sum was large, he knew of his personal knowledge that frequently persons

3/7/95 SPJ a/aw

of Italian extraction spend large amounts for lavish wedding receptions and that it is customary for guests to make contributions toward the expenses of the occasion. He said he thought the report made by COLOSIMO should contain information regarding the claim of DE LUCIA.

According to Mr. FISHER, on that occasion DE LUCIA did not mention the names of any of the contributors or the amounts contributed by them. He recalls that there was mention made on some occasion as to the amounts spent for different items connected with the reception, such as food, waiters, rental on the hall room and similar items, but he does not recall who made these statements or where or when they were made. He suggested the possibility that COLOSIMO may have furnished that data to him.

Mr. FISHER said that he recalls no list of contributors or itemized list of expenditures having been submitted to the United States Probation Office at Chicago, by DE LUCIA or anyone else, relating to the wedding reception. He said he does not know whether COLOSIMO ever obtained such information, and he recalls no request for such information to be obtained by his office.

Mr. FISHER related that DE LUCIA was operating a large farm at that time, and engaged in the raising and sale of livestock. He said COLOSIMO allowed DE LUCIA to submit financial reports in connection with the periodic sale of the livestock, and while one monthly report made by the parolee might not be quite accurate, it was not considered a serious matter if the parolee, whoever he might be, accurately reported his income and expenses in a subsequent report so as to account for the correct totals. He said the interview with DE LUCIA at that time was for the purpose of determining whether DE LUCIA had been making accurate reports of income and expenditures of his personal funds. Mr. FISHER commented that there were many rumors about the farm operated by DE LUCIA, such as that armed guards were maintained at the entrance to the property, and he accompanied another officer from his office to the farm on one occasion to personally examine the situation for his own satisfaction. He said he may have travelled on that occasion with COLOSIMO, or it may have been another officer, identity not now recalled by Mr. FISHER.

According to Mr. FISHER, members of the United States Board of Parole from time to time were in Chicago and discussed this and other cases with him. He said he recalls no request by any of the board members or any other official, for the United States Probation office at Chicago to conduct a special investigation into the wedding reception expenses on behalf of DE LUCIA's daughter.

As he had no list of contributors or the expenses for the reception, Mr. FISHER states he is certain his office did not transmit such items to the United States Attorney at Chicago or to any other federal agency. He said that Mr. OTTO KERNER, United States Attorney, did not request such an inquiry of the United States Probation office to Mr. FISHER's knowledge.

Mr. FISHER commented that on the day of the interview with DE LUCIA, he left the office prior to the departure of DE LUCIA, and he has no knowledge whether COLOSIMO may have asked DE LUCIA for a list of contributors, guests or expenditures for the wedding reception.

It was the observation of Mr. FISHER that the subjects were granted parole and as long as they followed the regulations imposed on them by the terms of the parole, the United States Probation office cooperated with the parolees. He said this was his administrative policy in handling all parolees, regardless of identity, and these cases were handled in the office in routine manner receiving the regular investigative attention. Mr. FISHER stated he neither observed nor learned of any collusion of any kind regarding a possible attempt to prevent revocation of DE LUCIA's parole, and he said he learned of no favors of any kind having been granted the parolee by his office.

Mr. FISHER remarked that regular reports were prepared by the parole officer concerning DE LUCIA, and without having those reports before him he could not recall the contents of them. He said that at the time of his interview of DE LUCIA with COLOSIMO, the wedding reception matter did not assume any particular significance, but that subsequent publicity has focused attention on the situation. Mr. FISHER said he has been retired from federal service since 1949.

September 23, 1952

Assistant Attorney General
Criminal Division
Department of Justice
Washington 25, D. C.

G. I. n. -3

Re: U.S.A. ex rel PAUL DE LUCIA v. THOMAS P. O'DONOVAN, Marshal. 50 C 1643
D.J.Ref: 123-51-18 95-23-38 CBM:AEG:ls

JM. 3-1
JM. 6-1

Sir:

I am enclosing herewith two copies of the Order of Judge Igoe entered by him on September 9, 1952, in the above captioned matter. It will be noted that the Order provides that the Memorandum of Judge Igoe, copies of which have been sent to you, stand as the court's findings of fact and conclusions of law.

The Chicago Probation Office advises us that it was agreed between De Lucia and that office that De Lucia would make report of the wedding incident through the probation officer at the end of that particular year. This report, we are informed, was made by De Lucia, and it is the same as the explanation given thereafter by the relator, namely, that the fund was derived as gifts from the guests who attended the wedding. De Lucia, has, of course, in the prior habeas corpus proceeding submitted affidavits to that effect, and he has reiterated the same in the instant case under oath.

We have strongly taken the position that this evidence was not properly before the court in either the prior or the present cases, for the reason that the referrals were not a part of the record in the last proceeding, and that in this proceeding the court had no jurisdiction to inquire into the facts behind the parole violation warrant, but that the relator would have to be remanded to the custody of the Attorney General, after which he could ask for a hearing before the parole board, at which time the parole would either be revoked or modified, or the charges dismissed.

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Thereafter, we have contended the relator could sue out a petition for a writ of habeas corpus, and the court would then have the authority to inquire into the facts behind the order of revocation of parole.

The Judge has, nevertheless, disregarded all arguments with respect to law, and he has undoubtedly considered the "evidence" submitted by De Lucia.

An appeal in this matter would raise the issue as to whether or not the District Court may, on a petition for writ of habeas corpus, inquire into the facts upon which a parole violation warrant is issued, before the parolee is taken before the Parole Board for a hearing upon the warrant. This, we believe, is the rule to be deduced in the original Compagna and Gioe cases, decided by the U.S. Court of Appeals for the 5th Circuit, and affirmed by an equally divided Supreme Court.

Judge Underwood's opinion, upon remand of that case, from which there was no appeal taken by the government, substantiates quite conclusively this contention. However, we feel that there is nothing to be gained by prosecuting such an appeal in the instant case unless we can thereafter, at a Parole Board hearing, support the charges made in the warrant and in the referrals thereto.

It is our belief that such evidence is lacking, and that if the Parole Board revokes parole, the parolee in this case would, no doubt, be discharged upon the writ of habeas corpus, after inquiry is made with respect to the evidence needed to support such revocation.

A Minute Order entered in this case provides that the present bond posted by De Lucia remain in full force and effect pending the government's taking of an appeal.

We earnestly request the recommendations and instructions of the Department with respect to what action we should pursue in this matter.

Respectfully,

OTTO KERNER, JR.
United States Attorney

Enc.

C O P Y

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

THE UNITED STATES OF AMERICA,
ex rel PAUL DeLUCIA,
Petitioner,

vs.

No. 50 C 1643

THOMAS P. O'DONOVAN, United States Marshal,
Respondent.

Habeas Corpus

ORDER

The Court having heretofore on August 21, 1952, filed its memorandum under Stipulation for Final Disposition in this cause, and having directed therein that a Judgment Order in accordance therewith be presented for entry on this 9th day of September, 1952; and now the parties being present, petitioner moves for his discharge.

Also the Court finds it unnecessary to rule on the request of petitioner for a holding that the respondent should have been limited in the matter of the facts and the law by reason of the order heretofore entered denying the petition for leave to plead over in the previous habeas corpus case. Therefore the motion of petitioner to include this fining in the present order is denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED in accordance with the said memorandum heretofore filed herein that the petitioner, PAUL DeLUCIA, be and he hereby is discharged, not to complete liberty, but to conditional liberty, in the custody of the Attorney General under supervision of the Board of Paroles.

IT IS FURTHER ORDERED that the memorandum heretofore filed stand as the court's findings of fact and conclusions of law.

ENTER:

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DATE 3/1/95 BY Sesalas

United States District Judge

58-2000-2126

September 23, 1952

Re: PAUL DE LUCIA, with aliases,
Paul Ricca, Paul De Lucca, Paul
Paul Viella, Paul Salvi, Paolo
Paul Maglio, Paul "The Waiter",
Paul Ricci

Information has been received that Paul De Lucia was born July 10, 1898, at Apricena, Italy, and was naturalized on September 27, 1928, in the United States District Court at Chicago, Illinois. In 1948, he reportedly resided at 812 Lathrop Avenue, River Forest, Illinois.

De Lucia, according to information received, was a well-known figure in the Chicago gambling syndicate and labor rackets. He was said to be an associate of Al Capone.

De Lucia was convicted for violation of the Anti-Racketeering Statute and was sentenced in the Federal District Court in the Southern District of New York on December 31, 1943, to ten years' imprisonment. An arrest and fingerprint record for De Lucia is attached.

Attachment

J. G. Leggett/dej

3/7/95 SPS a/ac

SE 2100 - 2126 X

SE 50

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Date

MEMORANDUM

Re: ~~PAUL DE LUCIA, was~~ Summary
Paul Ricca, Paul DeLucca,
Paul Villa, Paul Viella,
Paul Salvi, Paolo Maglio,
Paul Maglio, Paul "The Waiter",
Paul Ricci

Paul DeLucia was born July 10, 1989, at Apricena, Italy, and was naturalized September 27, 1928, in the United States District Court, Chicago in the case docket number 55072. His last address was listed as 812 North Lathrope Avenue, Forest Park, Illinois.

DeLucia was arrested on March 24, 1943, and was subsequently convicted and sentenced to ten years imprisonment and a fine of $10,000.00 for a charge of extortion as a result of his involvement in the Browne-Bioff movie extortion scandal. He is known as a former lieutenant of Al Capone and as one of the directors for the Capone organization following Capone's retirement from this activity.

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ENCLOSURE

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: October 15, 1952

FROM : SAC, CHICAGO (62-4429)

SUBJECT: PAUL DE LUCIA, was
Paul Ricca, Paul DeLucca,
Paul Villa, Paul Viella,
Paul Salvi, Paolo Maglio,
Paul Maglio, Paul "The Waiter",
Paul Ricci
DISSEMINATION OF INFORMATION

Re SAC Letter No. 100 dated October 7, 1952, Subsection G.

PAUL DELUCIA is identical with FBI No. 832514.

Background data was reported from Immigration and Naturalization Service files in the report of SA DELBERT L. WOOD dated October 2, 1946, at Chicago in the case entitled "REACTIVATION OF THE CAPONE GANG, MISCELLANEOUS INFORMATION, CRIME SURVEY" Chicago file 62-3679-1712 pages 93 through 99, Bufile 62-81093. Information with regard to DE LUCIA's underworld activities was obtained from the report of SA DELBERT L. WOOD dated October 2, 1946, in the case entitled "REACTIVATION OF THE CAPONE GANG, MISCELLANEOUS INFORMATION, CRIME SURVEY", Chicago file 62-3679-1712 pages 92 through 99 and report in the same investigation dated July 13, 1946, Chicago file 62-3679-328 page 34.

PAUL DE LUCIA is currently the subject of Chicago case entitled "LOUIS CAMPAGNA, was ET AL, BRIBERY - FRAUD AGAINST THE GOVERNMENT", Chicago file 58-194.

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EX-103

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U.S. DEPARTMENT OF [illegible] D.C.

[illegible] October 27, 1952

[illegible]

[illegible]

[illegible] Riccl

Information has been received that Ricci was born in Italy. The exact date and place of birth and citizenship status are unknown. He is said to reside at [illegible] Brooklyn, New York.

Ricci has been reported to be a [illegible] in "shylocking" and gambling.

There is attached an arrest record of Ricci.

Enclosure

W.R. HOAGLUND:rte

3/2/55 SPS a/a

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EX-103

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MEMORANDUM

Re: PAUL RICCI, Paul Ricci

Information has been received that PAUL RICCI, Hotel Lafayette, Brooklyn, New York, was born in Italy. However, no information is possessed with regard to the date and place of birth or his current citizenship status.

He has been reported as a waterfront racketeer engaging in shylocking and gambling.

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STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. LADD

DATE: November 14, 1952

FROM : A. ROSEN

SUBJECT: LOUIS CAMPAGNA, was; CHARLES GIOE, was;
PHILLIP D'ANDREA, was; PAUL DE LUCIA (RICCA), was;
JOHN ROSELLI, was;
BRIBERY; PAROLE MATTERS

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PURPOSE

PHILLIP D'ANDREA - SUM
PAUL DE LUCIA (RICCA) SUM

To summarize the detailed memorandum which is attached covering the background and investigation of this matter.

JOHN ROSELLI - SUMMARY

SUMMARY

The subjects were co-defendants in an anti-racketeering case involving George E. Browne and William Bioff in which the Bureau conducted investigation. All subjects were charged with having extorted from various motion picture producers a sum upwards of $1,000,000. Browne and Bioff were found guilty on November 6, 1941. Thereafter they became principal witnesses for the Government in the trial of Campagna and the other subjects, who, on December 31, 1943, were each sentenced in the U. S. District Court for the Southern District of New York for 10 years and fined $10,000 for violation of the Anti-Racketeering Statute. All five subjects began serving their sentences on March 8, 1944. They were released on parole on August 13, 1947, by unanimous decision of the U. S. Board of Parole. Bioff and Browne were released on December 22, 1944, on an order issued by U. S. District Judge who presided at trial in view of cooperation and assistance both rendered to Government. In a memorandum dated September 15, 1947, former Attorney General Tom C. Clark advised he received this information from Congressman Busbey (R.-Ill.), that there was an indication of bribery in connection with the parole of Campagna, Gioe, D'Andrea, and De Lucia, and requested an immediate and full investigation. Bureau investigation completed in October, 1947, did not disclose any criminal irregularity in the granting of the paroles. Bureau investigation developed that statements made by subjects to their parole officers incorrect, particularly in relation to financial interests. DeLucia failed to report expenditure of $12,324.58 on January 24, 1948, for daughter's wedding reception party. Investigation regarding this reception conducted at specific request of U. S. Attorney, developed payment in cash made by DeLucia to hotel.

DeLucia's parole was revoked on July 15, 1948 and after his apprehension the following day, he was released after many continuances on November 23, 1948. DeLucia rearrested on November 24, 1950, and released on writ of habeas corpus the same date. Case continued until September 9, 1952, when ordered discharged to conditional liberty but to remain on bond pending appeal by Government. Appeal not taken by Government within prescribed [illegible]

Attachment

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Memorandum for Mr. Ladd

The Bureau, in its investigation in the phase of this case relative to the attempts to revoke paroles of the subjects, followed out the specific requests of the United States Attorney in Chicago who was operating with blanket authority of the Department.

Our report dated June 12, 1948, concerning investigation of the wedding reception and the fact that DeLucia paid for it in cash was submitted to the United States Attorney who stated that he was pleased with the information developed.

Thereafter, newspaper publicity on July 8, 1948, in Chicago, reflected DeLucia, also known as Paul Ricca, claimed that the funds for the reception were provided by friends and guests. These newspaper clippings submitted to the Department by Bureau. No request ever received from United States Attorney or Department to investigate veracity of DeLucia's statement that friends paid for reception.

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[redacted]

ACTION TO BE TAKEN

In order to check out the wedding reception phase in which the Attorney General has evidenced concern, we will have to check to determine what the Parole Board and the Parole Officer in Chicago did with regard to DeLucia's explanation that the funds were supplied by friends. Also, we will have to check with the U. S. Att rney's Office to determine what, if any, action was taken with regard to this particular aspect. Instructions are being immediately issued to Hood at the Washington Field Office to make an immediate check of the Parole Board's records with regard to this particular phase. Thereafter, Chicago will be appropriately instructed. All work is being handled expeditiously.

Yes & give to Prosecutor

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: November 14, 1952

FROM : Mr. Rosen

(M)

SUBJECT: LOUIS CAMPAGNA, was;
CHARLES GIOE, was;
PHILLIP D'ANDREA, was;
PAUL DE LUCIA (RICCA) was;
JOHN ROSELLI, was.
BRIBERY
PAROLE MATTERS

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease
Gandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/2/55 BY SRS

BACKGROUND:

The captioned subjects were codefendants in an Anti-Racketeering case involving George E. Browne and William Bioff, in which the Bureau conducted investigation. Following investigation, these subjects, together with Browne and Bioff, were charged with having extorted from various motion picture producers (such as Loew's inc., Paramount Inc., 20th Century Fox Film Corporation and Warner Brothers Pictures Inc.) a sum upwards of $1,000,000.

On November 6, 1941, Browne and Bioff were found guilty on three counts violating the Federal Anti-Racketeering Statute in that they extorted money from these companies by the use of threats, force and fear. On November 12, 1941, Bioff was sentenced to ten years imprisonment and a $10,000 fine on count one, ten years imprisonment on count two to run concurrently with the present sentence received under count one and ten years and $10,000 fine on count three to run consecutively to the concurrent sentences on counts one and two. The prison sentence on count three was suspended, conditioned however upon payment of the two $10,000 fines. He was then placed on probation for five years; this probationary sentence to begin on completion of the sentence under counts one and two.

On November 12, 1941, Browne was sentenced to eight years and $10,000 fine on count one and on count two to eight years, which are to be served concurrently with the prison sentence under count one. Browne was also sentenced to ten years and $10,000 fine on count three with the same provision as to suspension and probation, conditioned upon payment of the fines as indicated in the case of Bioff.

From the investigation and trial of the Browne and Bioff matter information was developed indicating that certain individuals known as the "Chicago Mob" were behind Browne and Bioff and their extortions from the motion picture industry. The development of this additional phase resulted in the return of indictment against

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Campagna, Gioe, D'Andrea, De Lucia and Roselli.

Browne and Bioff were principal Government witnesses in the trial of Campagna and the other captioned subjects and on December 31, 1943, they were each sentenced in the United States District Court for the Southern District of New York to ten years and fined $10,000 for violation of the Anti-Racketeering Statute.

All five of the subjects began serving their sentences on March 8, 1944. They were all released on parole on August 13, 1947, by a unanimous decision of the U. S. Board of Parole, after they had served a total of three years five months and five days or one month and five days, more than 1/3 of their respective sentences.

Bioff and Browne were released from Federal Prison on December 22, 1944, upon an order issued by U. S. District Judge John C. Knox, who presided at their trial. This order reduced the prison sentences of Bioff and Browne to the time already served and was entered in view of the cooperation and assistance that Bioff and Browne rendered to the Government in securing the Anti-Racketeering indictment against Campagna, Gior, D'Andrea, De Lucia and Roselli. Browne and Bioff were placed on five years probation. Browne and Bioff thus actually served slightly more than three years of their respective ten and eight year sentences.

ALLEGATION OF BRIBERY IN CONNECTION WITH PAROLE OF SUBJECTS AND REQUEST FOR FBI INVESTIGATION:

In a memorandum dated September 15, 1947, then Attorney General Tom C. Clark advised that he had been informed by Congressman Fred Busbey (R - Ill.) that there was an indication of bribery in connection with the parole of Campagna, Gioe, D'Andrea and De Lucia and requested an immediate and full investigation of this allegation. On the same date the Attorney General telephoned the Director and reiterated his request for a full investigation stating that the Department would prosecute if the allegation was substantiated.

RESULTS OF BUREAU INVESTIGATION:

The Bureau conducted a full and intensive investigation concerning the alleged irregularities originally reported and those irregularities which came to our attention during the course of this investigation and relating to the parole of the subjects in

this case. This investigation, which was completed in October, 1947, did not disclose any criminal irregularity in the granting of the paroles. However, during the course of the Bureau's investigation information was developed indicating that statements made by the subjects to their parole officers were incorrect, particularly in relation to their financial interests.

Copies of all reports in this investigation were furnished to the Attorney General.

REVOCATION OF PAROLES:

Subject Paul De Lucia was arrested at his residence in Chicago on June 16, 1948, by the U. S. Marshal pursuant to a Parole Violator's Warrant issued by the U. S. Board of Parole.

Louis Campagna, accompanied by his attorney, surrendered to the U. S. Attorney in the chambers of U. S. District Judge John P. Barnes at Chicago on July 23, 1948.

Charles Gioe was arrested by the U. S. Marshal at Chicago on July 23, 1948, on a Parole Violator's Warrant.

A Parole Violator's Warrant was also issued for subject John Roselli, who voluntarily surrendered to the U. S. Marshal at Los Angeles on July 27, 1948.

No action was taken to revoke the parole of Phillip D'Andrea due to his poor health.

SUPPLEMENTAL REQUESTS FOR INVESTIGATION:

Following completion of the original investigation we received supplemental requests for investigation from the Department and the United States Attorney at Chicago. This investigation was conducted and reports submitted to the Department and the United States Attorney.

LEGAL ACTION TAKEN AGAINST SUBJECT LOUIS CAMPAGNA

On July 21, 1948, as a result of the Parole Violator warrant issued above, Louis Campagna was apprehended by the U. S. Marshal, Chicago, and returned to the Federal Penitentiary at Atlanta, Georgia, on July 23, 1948. Prior to returning to the penitentiary, he had appeared before Judge John P. Barnes who denied his request for freedom on a writ of habeas corpus. On September 2, 1948, he petitioned the U. S. District Court at Atlanta, Georgia, for his release on a writ of habeas corpus. On December 4, 1948, Judge E. Marvin Underwood sustained a writ of habeas corpus for Campagna. He was released from the penitentiary 15 days later.

The Government appealed the decision of Judge Underwood to the U. S. Fifth Circuit Court of Appeals at New Orleans, which on November 12, 1949, reversed the decision of the lower court.

Thereafter, Campagna petitioned the U. S. Supreme Court which on May 16, 1950, granted this petition for a writ of certiorari. In addition to the court case stated above arising out of the action of the U. S. District Court at Atlanta, Georgia, Campagna also initiated two suits in the Circuit Court of Appeals at Chicago, Illinois, arising out of actions in the Federal District Court in Chicago. Specifically, in one instance he appealed from the decision of Judge Barnes with respect to his ruling on his petition for a release from the custody of the U. S. Marshal on a writ of habeas corpus. On September 28, 1949, the Circuit Court formally entered an order denying the motion to dismiss this case without prejudice. In the other instance, Campagna appealed from a decision of Judge Shaw (now deceased), U. S. District Court, Chicago, who denied his motion that the U. S. District Court review the action of the U. S. Board of Parole under the Federal Administrative Act. On September 28, 1949, the Circuit Court also dismissed this motion without prejudice. Insofar as Campagna was concerned this left the only case still pending against him in the U. S. Supreme Court. It is noted in this regard he was joined by his fellow parolee, Charles Gioe. This matter will be treated jointly with Gioe in a subsequent paragraph.

LEGAL ACTION TAKEN AGAINST SUBJECT CHARLES GIOE

On July 23, 1948, as a result of the Parole Violator warrant filed by Judge Rogers, Charles Gioe was apprehended at 5:30 A.M., in Chicago, Illinois, and returned to the Federal Pentitentiary at Atlanta, Georgia, within a few hours. He did not appear in court in Chicago as did Campagna prior to his return to Atlanta. Like Campagna, he petitioned the U. S. District Court at Atlanta, Georgia, for his release from prison on a writ of habeas corpus. At the same time Judge Underwood ruled in favor of Campagna, he also made a similar ruling in Gioe's favor. In accordance with Judge Underwood's sustaining his motion for release, he was released from prison on September 20, 1948. On November 12, 1949, the U. S. Fifth Circuit Court of Appeals at New Orleans reversed Judge Underwood's decision. Gioe, like Campagna, appealed his case to the U. S. Supreme Court, which on May 16, 1950, granted a writ of certiorari. In addition to this, Gioe also initiated a suit arising out of Judge Shaw's refusal to review the action of the U. S. Board of Parole under the Federal Administrative Act. The U. S. Circuit Court of Appeals thereafter dismissed without prejudice on September 28, 1949, this motion of Gioe.

SUBSEQUENT LEGAL STEPS TAKEN AGAINST SUBJECTS LOUIS CAMPAGNA AND CHARLES GIOE

On November 13, 1950, the Supreme Court, by an equally divided vote affirmed the decision of the U. S. Fifth Circuit Court of Appeals at New Orleans in the case against Gioe and Campagna. On January 5, 1951, the Supreme Court issued a mandate remanding this case to the District Court for the Northern District of Georgia. On September 18, 1951, the Honorable E. Marvin Underwood, U. S. District Judge, ordered the discharge of Campagna and Gioe on October 2, 1951, unless further appeals were taken by the Government in this matter. On March 12, 1952, Assistant U. S. Attorney H. H. Tysinger, ND Ga., advised that the Attorney General had recommended against appealing the decision of the Honorable E. Marvin Underwood, which decision granted discharge to Campagna and Gioe. Mr. Tysinger went on

to advise that the motion to dismiss the appeal and an order that the appeal be docketed and dismissed in the U. S. District Court of Appeals for the First District had been forwarded to that Circuit Court of Appeals.

LEGAL STEPS AGAINST JOHN ROSELLI

A Parole Violator's warrant was issued for subject John Roselli and he voluntarily surrendered to the U. S. Marshal at Los Angeles on July 27, 1948. A petition of habeas corpus was immediately filed by Roselli's attorneys. Senior U. S. District Judge Paul J. McCormick issued an order to show cause why the writ should not be granted and set August 2, 1948, for arguments on the order. Judge McCormick also ruled that Roselli must remain in jail pending this hearing. Subsequent postponements were had until September 7, 1948, when Roselli's petition for writ of habeas corpus was denied by the U. S. District Court, Los Angeles. An immediate notice of appeal was filed. On November 16, 1948, the U. S. Board of Parole ordered the release of Roselli, indicating there was insufficient evidence to justify the revocation of his parole.

PAUL DE LUCIA, was. Paul Ricca,
Paul De Lucca, Paul Villa,
Paul Viela, Paul Salvi, Paolo Maglio,
Paul Maglio, "Paul the Waiter" and Paul Ricci

PERSONAL HISTORY:

Paul De Lucia, who is better known in criminal circles as "Paul the Waiter" Ricca, was born in Apricena, Italy, on July 10, 1898. He entered the United States on August 10, 1920, under the name Paul Maglio. He was naturalized in the U. S. District Court at Chicago on September 27, 1928. He is married and has three children. He has resided in the vicinity of Chicago since 1920.

CRIMINAL ACTIVITIES GENERALLY:

De Lucia is well known in underworld circles in Chicago as a racketeer and gangster and was formerly a minor figure in the Capone Gang. He has associated for many years with notorious members of the Capone Gang. He was indicted with other hoodlums by the Cook County, Illinois, Grand Jury on October 18, 1940, on a conspiracy charge. The indictment grew out of the alleged "taking over" of the bartenders union. De Lucia, however, was found not guilty. A Chicago Daily News article on February 14, 1939, indicated that De Lucia had been promoted to a position of leadership in the remnants of the Capone Gang and this promotion created much surprise in underworld circles.

INFORMATION REGARDING THE PAROLE OF PAUL DE LUCIA:

De Lucia was released on parole on August 13, 1947, after serving the minimum amount of a sentence received on December 31, 1943, after his conviction for violation of the Anti-Racketeering Act. De Lucia remained on parole until July 15, 1948, at which time the parole was revoked pursuant to the Parole Violator's Warrant signed by Judge Fred Rogers, a member of the U. S. Board of Parole. On July 16, 1948, De Lucia was apprehended and committed to the Cook County Jail at Chicago. He petitioned for his release to the U. S. District Court at Chicago, Illinois, and after many continuances and hearings before Judge Michael Igoe was released on November 23, 1948. Judge Igoe ordered his release when the Government, through Assistant U. S. Attorney John P. Lulinski, elected to stand by its position that the acts of the U. S. Board of Parole were

PAUL DE LUCIA (RICCA)
COURT ACTION - DE LUCIA

not subject to review by the U. S. District Courts.

The U. S. Attorney at Chicago then appealed the decision of Judge Igoe to the Circuit Court of Appeals, their case number 9788. On December 8, 1949, the Circuit Court of Appeals sustained Judge Igoe's decision.

On June 15, 1950, the U. S. Attorney at Chicago, Illinois, petitioned Judge Igoe for leave to plead over in connection with this case. On September 6, 1950, after oral arguments, the Government's petition for leave to plead over was allowed and the Government was given until September 13 to file the petition; however, on September 29, 1950, Judge Igoe, after reviewing the petition, denied the Government's motion for leave to plead over. He stated that he did not feel that he had jurisdiction in the matter for the U. S. Circuit Court of Appeals had affirmed his previous action and that in his opinion the matter now rested with the Circuit Court of Appeals, to which Court a petition for leave to reopen the case should be directed.

De Lucia was rearrested on November 24, 1950, on the basis of a new warrant issued by the U. S. Parole Board for the following reasons:

1. Failure to make full and truthful parole report covering expenditures during the month of January, 1948.
2. Failure to reveal source of monies used in settlement of Internal Revenue Tax when questioned before a Federal Grand Jury.
3. Failure to reveal source of monies used in settlement of Internal Revenue Tax when questioned before a Congressional Committee of the 81st Congress.
4. Failure to reveal the identity of two traveling companions on the TWA flight from Kansas City, Missouri, to Chicago, Illinois, August 13, 1947, when questioned before a Federal Grand Jury.
5. Failure to conduct himself honorably.

Item number one concerns the wedding breakfast and subsequent reception for De Lucia's daughter held at the Blackstone Hotel in Chicago, January, 1948. This matter is described in greater detail later in this memorandum.

On November 24, 1950, De Lucia's attorney, George F. Callaghan filed a petition for a writ of habeas corpus for his client. In this petition he stated that a client was being illegally restrained by Thomas P. O'Donovan, Marshal, Chicago, Illinois, and asserted that the action of the Parole Board in causing a new warrant to be issued for the arrest of his client was the result of arbitrary and capricious action and in violation of the law and rights of the petitioner as guaranteed by the constitution. In a hearing before Judge Igoe on November 24, 1950, De Lucia was released on $5,000 bond.

On December 1, 1950, De Lucia's attorneys filed a second amendment. This amendment states that the warrant in the new case should be void "for the reason that it was issued while an identical warrant was the subject of litigation." On January 26, 1951, Judge Igoe ruled that De Lucia was entitled to a hearing on the attempted revocation of his parole and set March 30, 1951, as the date of this hearing. Subsequently, this hearing for revocation of the parole of De Lucia was postponed until May 23, 1951; then until June 8, 1951; then until October 2, 1951. On October 2, 1951, Judge Igoe by agreement of both the Government and the defendant continued the hearing on De Lucia's parole revocation until December 7, 1951. This hearing was then continued until January 11, 1952; then until April 4, 1952, and then until May 16, 1952.

On May 16 this case was taken under advisement on the record and the Government was given ten days to file objections to any data presented by De Lucia's counsel. On May 29, 1952, the Government filed objections to some of the evidence offered by De Lucia's attorneys and the court entered an order as to evidence agreed to as of May 16, 1952, and Judge Igoe took the case under advisement.

On September 9, 1952, pursuant to a memorandum previously filed, Judge Igoe ordered that petitioner De Lucia be discharged on his conditional liberty in the custody of the Attorney General under the supervision of the Board of Parole and that said memorandum stand as the court's finding of facts and conclusions of law. It further ordered that the existing bond of the petitioner remain in full force and effect pending the taking of an appeal by the Government. The above-referred to memorandum entitled "Memorandum Under Stipulation for General Distribution" appears to have been prepared by De Lucia's attorneys and apparently served as a summary of issue and

argument before the Court in this case. This memorandum presented certain arguments to affirm the habeas corpus action in this case and to reinstate De Lucia's prior status. This memorandum was signed by U. S. District Judge Igoe opposite a notation "order to be presented September 9, 1952." Assistant U. S. Attorney Anthony Scariano, Chicago advised on September 30, 1952, that the ruling by Judge Igoe as of September 9, 1952, has the effect of restoring subject De Lucia to his parole status and permits him to remain at liberty on bond pending an appeal from Judge Igoe's ruling by the Government. Mr. Scariano stated that such appeal must be instituted within sixty days from September 9, 1952. Mr. Scariano stated that his office had written to the Department of Justice for a decision as to whether or not an appeal should be taken from Judge Igoe's ruling in this case.

It is to be noted that the sixty-day period in which an appeal by the Government should be instituted expired on November 9, 1952.

JUDGE IGOE'S ALLEGED STATEMENT CONCERNING THE FBI:

Judge Igoe is alleged to have stated that the FBI conducted investigation and came up with no facts to substantiate the irregularities alleged in connection with the granting of the parole in this case. No information is available indicating that Judge Igoe made this statement; however, the Chicago Office is checking the Court Records on November 14, 1952, and particularly the memorandum filed by the defendant's attorneys which served as a summary of issue and argument before the Court in this case and which was filed by Judge Igoe, to determine if the alleged statement is contained therein.

WEDDING RECEPTION OF DAUGHTER OF PAUL DELUCIA

REQUEST FOR INVESTIGATION

By letter dated June 9, 1948, directed to our Chicago Division, U. S. Attorney Otto Kerner, Jr. requested investigation concerning the reception following the wedding of Paul DeLucia's daughter. The letter reads as follows:

> "In accordance with my telephone conversation with Mr. Richard Hosteny this morning, it is requested that further investigation be conducted in the above matter with reference to the wedding reception held some time during the early part of this year at the Blackstone Hotel, Chicago. This wedding reception was held in connection with the marriage of the daughter of Paul DeLucia, one of the subjects. It is believed the reception was staged by Paul DeLucia.
>
> "It is my desire that I be furnished, as soon as possible, with all information available concerning this wedding reception, particularly at whose request and order it was staged, what was the amount of the hotel bill and other expenses; who paid for the expenses, when and how payment was made; and any other pertinent facts that your investigation might disclose. Your fine cooperation in this matter is and will be greatly appreciated."

RESULTS OF INVESTIGATION

After U. S. Attorney Otto Kerner's request was received, an investigation was immediately instituted.

The Chicago Office submitted a report dated June 12, 1948, which was disseminated to the U. S. Attorney at Chicago, Illinois, and to the Department. This report reflects that Mr. George E. Fox, Jr., manager of the Blackstone Hotel, 636 South Michigan Avenue, Chicago, Illinois, advised that the maitre d'hotel, Mr. Charles Mikuta, handled details of the reception. Mr. Fox made the hotel records available to the Bureau for examination.

Mr. Mikuta advised that the arrangements for the wedding reception were made with Mr. Tom Kelly, operator of the St. Hubert's Old English Grill, 316 South Federal Street, who represented the bride's father. Kelly indicated the reception was to be attended by between 500 and 600 people. DeLucia's name was not mentioned in connection with the arrangements but was referred to as "the bride's father."

The folio card covering the hotel statement on the wedding reception reflects the following information:

"Mrs. Alex Ponzio
812 Lathrop Ave.,
River Forest, Ill.

"1948	22 Luncheons at 7.50		165.00	
1-24	Tax		3.30	
	Fee		20.00	
	Capt. Fee		5.00	
	1 check girl		12.50	
	600 Covers at 15.00		9000.00	
	Wedding cake		200.00	
	Beverage		2151.10	
	Tax		227.02	
	396 Bottles Service		594.00	
	6 Bartenders		69.00	
	6 check girls & 2 Wash. Rm. Att.		95.00	
	Waiters Fee		1200.00	
	Local phones		.48	
	Rent of Mike		10.00	
	Room Service		10.68	
	DeLucia	C.83330	13.50	
	Ponzio, A.	C.83331	21.00	
	Kelly, T.	C.83367	27.00	
				13,824.58
1-26	Cash T.J.		12,324.58	
1-27	Allowance		1,500.00	
			13,824.58	13,824.58

1-27	Room A/C	C.83326	170.64	
2-16	Cash T.J.		170.64	

EXPLANATION OF ABOVE CHARGES

The twenty-two luncheons concern the wedding breakfast of the bridal party.

The next four items appearing on this statement consist of the sales tax on the luncheons and the waiters, captains, and check girl fees.

The next item on the folio card is "600 covers $15.00 $9,000.00". Mikuta explained this was the agreed price of $15.00 per individual attending the reception. This charge covered the buffet style wedding supper.

The next item was the cost of the wedding cake of $200. Mikuta mentioned the wedding cake was five feet tall.

The next item on the statement under the heading "Beverage" consisted of the cost of the bourbon and scotch and mix. Mikuta explained that this was the cost of all beverages served at the reception other than the champagne.

The tax, which is the next item on the statement, represents the sales tax on food and beverages served.

The next item is $1.50 service charge on 396 bottles of champagne. The champagne was not furnished by the hotel but was arranged for by Tom Kelly. There were forty cases of imported Italian champagne delivered to the hotel to be used at the reception. The wholesale cost was estimated by Mikuta at between $5.50 and $6.50 per bottle. He stated that of the 480 bottles delivered, only 396 were consumed and the balance was given back to Kelly.

The next two items appearing on the folio card are charges for bartenders, washroom attendants and check girls.

The item on the folio card under the caption "Waiters Fee" of $1200 was the tip for the hotel employees.

The $10.00 charge is for the rental of a microphone used at the reception.

The four items following the $10.00 charge are the cost of three rooms and room service, which rooms were utilized as dressing rooms.

The rooms as is noted on the folio card were secured in the name of DeLucia, A. Ponzio, and T. Kelly. (A. Ponzio is the bridegroom)

$12,324.58 PAID IN CASH BY DE LUCIA

The next two entries on the folio card represented the payment for the service rendered by the hotel and an allowance of $1500. Concerning the $1500 allowance, Mikuta explained that on January 26, 1948, Tom Kelly accompanied by DeLucia, appeared at the Blackstone Hotel to settle for the cost of the wedding reception. There was a disagreement between Mikuta and Kelly in that Mikuta was of the opinion there were 600 people present, whereas Kelly indicated that only 500 were in attendance. According to Mikuta, the matter was finally taken up with Mr. Fox, the manager of the hotel, who permitted an allowance on the statement of $1500. Mikuta stated that during the entire discussion concerning this difference, DeLucia did not say one word.

After Fox had granted the allowance of $1500, DeLucia reached in his front pocket and pulled out a roll of bills and paid the entire amount of the bill, $12,324.58, in cash by $100 bills. Mikuta took this money to the cashier directly and gave DeLucia the change which he had coming.

Concerning the last two entries on the bill, the hotel explained that the bride and groom stayed at the hotel on the 24th, 25th, and 26th of January and the entries represented the cost of the room and room service to the suite occupied by the bride and groom.

Mikuta stated that the reception was a very quiet and orderly party which he termed as a family affair. He did state that the number in attendance was a little larger than normal in that usually wedding receptions held at the hotel were attended by between 100 to 250 people.

U. S. ATTORNEY KERNER WELL PLEASED WITH INVESTIGATION RE WEDDING RECEPTION

The Chicago Division advised by teletype of June 15, 1948, that U. S. Attorney Kerner informed that he was well pleased with the results of the investigation conducted at the Blackstone Hotel regarding the wedding reception. He explained that it was necessary for parolees to submit a monthly statement to their parole officer of all monies received by them during the month and all monies paid out by them during the month. According to Kerner, DeLucia did not make a statement concerning the cost of the wedding to the Parole Board.

DE LUCIA'S ALIBI CONCERNING PAYMENT FOR WEDDING RECEPTION

An article appeared in the Chicago Daily News issue of July 8, 1948, which quoted DeLucia as saying that the $16000 spent for supper and champagne for guests at the wedding reception at the Blackstone Hotel on January 24, 1948, was contributed by the guests. DeLucia, according to the article, said that it was an old Italian custom for the guests to make such payments. A photostatic copy of this article was sent to the Attorney General on July 16, 1948.

NO REQUEST FOR ADDITIONAL INVESTIGATION CONCERNING WEDDING RECEPTION

A review of Bureau files and the files of the Chicago Division fails to indicate that either the Department or the U. S. Attorney

made any request for additional investigation concerning the source of the money paid to the Blackstone Hotel to defray the cost of the wedding reception. It will be noted, in this connection, that our investigation was conducted at the specific request of the U. S. Attorney with the approval of the Department.

REQUESTS FOR INVESTIGATION BY U. S. ATTORNEY, CHICAGO, AND DEPARTMENT OF JUSTICE, WASHINGTON, D. C.

Supplemental requests were received from the U. S. Attorney and the Department for additional investigation regarding all the subjects. The following represents requests directly concerning DeLucia:

November 25, 1947 - On this date the U. S. Attorney requested sufficient information be obtained relative to the mode of travel and the activities of subjects Campagna, DeLucia and Gioe, after their release from Leavenworth Penitentiary on August 13, 1947, to prove or disprove their testimony before the Grand Jury with the object in mind that if perjury was committed by them possibly their paroles might be revoked.

Bureau investigation failed to establish the identity of the individuals who accompanied subjects and Bernstein on the flight from Kansas City to Chicago. The stewardess on the flight and six passengers were unable to provide any information. The reservation list for the flight was previously destroyed by the airline. Bernstein was listed, however, as having six tickets. Subjects claimed not to know the identity of any persons accompanying Bernstein. (Attorney for subjects)

June 9, 1948 - On this date the U. S. Attorney requested investigation to determine the facts surrounding the reception given at the Blackstone Hotel, Chicago, on January 24, 1948, following the wedding of subject DeLucia's daughter.

Investigation established that the expense for the elaborate wedding reception at the hotel was defrayed by DeLucia in the amount of over $12,000.

February 16, 1949 - The Assistant to the Attorney General Peyton Ford requested the Bureau to maintain a 24 hour physical surveillance over DeLucia, Gioe and Campagna for the purpose of determining their activities, associates, and the like for a period of one week.

The U. S. Attorney in Chicago advised that due to the apparent inactivity of the subjects, the surveillances would no longer be required.

March 2, 1951 - The Department requested additional investigation concerning subjects' flight from Kansas City to Chicago, on August 13, 1947.

The stewardess was reinterviewed and records maintained by the airline were obtained and made available to the Department.

Memorandum for Mr. Ladd

PENDING INVESTIGATION:

Information was received on April 30, 1951, that one [redacted] of Leavenworth who was in that institution during the same time as DeLucia and Campagna, could furnish information concerning the identity of the individual who allegedly produced cash for the paroles of DeLucia and Campagna. [redacted] has been interviewed on several occasions and has advised that he believes this person was one Jimmie Ryan who had served time in Leavenworth. Attempts have been made to identify the Jimmie Ryan who was incarcerated in Leavenworth Penitentiary and photographs of all persons of this name who were at Leavenworth have been obtained for exhibition to [redacted] b7D

views with [redacted] will be conducted subsequent to that date. There is no remaining investigation, and no further action concerning this can be taken until the [redacted] case.

A more detailed memorandum is being prepared on the above phase of this case.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: November 15, 1952

FROM : SAC, WFO (58-New)

SUBJECT: PAUL DE LUCIA, was., et al
BRIBERY; PAROLE MATTER

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/95 BY SP5CA/CW

REVIEW OF FILES OF U.S. BOARD OF PAROLE AND BUREAU OF PRISONS

This investigation was conducted by SAs WILLIAM T. FORSYTH and ROBERT K. LEWIS on 11/14/52.

Mr. THOMAS O. GROVER, Parole Executive, U.S. Board of Parole, Department of Justice, advised that the Board of Parole did not have separate files of their own, but maintained their files as part of the files of the Bureau of Prisons. He attempted to locate a file on PAUL DE LUCIA in the Bureau of Prisons files, but ascertained that it was in the possession of JAMES V. BENNETT, Director of the Bureau of Prisons. Mr. GROVER had the investigating agents escorted to Mr. BENNETT's office.

Mr. JAMES V. BENNETT had the file in his possession and inquired as to why the investigating agents were interested in the file. He stated that he had had a lot of inquiries concerning this file and it was a "hot file." Mr. BENNETT was advised that the inquiry was in connection with the official duties of the Federal Bureau of Investigation and that the investigating agents were not in a position to advise him any further as to why the file was to be reviewed. Whereupon, Mr. BENNETT made the file available to the agents.

Prison Record:

The file on the subject reflects that on 1/1/44, he was designated to go to the Federal Penitentiary at Atlanta, Georgia. In May, 1944, the subject applied for bail, claiming physical reasons; namely, diabetes, arthritis and kidney stones. Subject was thereupon examined by physicians of the U.S. Public Health Service and bail was not allowed since it was found that subject could receive adequate medical care in prison.

In May, 1945, the subject requested a transfer to the Federal Penitentiary at Leavenworth. This request was opposed by the Bureau of

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Prisons for the reason that one NICK CIRCELLA, an alleged enemy of DE LUCIA, was at that time incarcerated in Leavenworth. It was felt that the presence of these two men in one penitentiary might cause considerable trouble. The file contains a letter dated 7/21/45, from JOSEPH W. SANFORD, Warden, Atlanta Penitentiary, to FRANK LOVELAND, Assistant Director, Bureau of Prisons, regarding DE LUCIA's request for transfer. This letter states, in part: "From information received, it is quite evident that money is being paid to obtain the transfer of these men to Leavenworth." SANFORD goes on to express his opposition to this transfer. On the bottom of this letter, written in longhand by Mr. LOVELAND, is the statement, "Talked with SANFORD - has no indication that money has been paid - just said that two attorneys had been very active in their cases." On 7/27/45, DE LUCIA was transferred to the penitentiary at Leavenworth, this transfer being authorized by Mr. LOVELAND. The file also reflects that the subject had a clear conduct record during his time in prison.

Parole and Revocation Efforts:

The file contains an undated parole request made by the subject in which he stated that if placed on parole he would be employed in the operation of his farm at River Forest, Illinois. In this request the subject also stated that because of financial difficulties he would lose this farm unless paroled. This request is signed by Parole Officer D. L. YEAGLEY. The file contains letters supporting DE LUCIA's parole request from the following persons:

TIMOTHY DINEEN
5419 Van Buren Street
Chicago, Illinois

Dr. MORRIS W. LEV
104 South Michigan Avenue
Chicago, Illinois

JAMES LUPORI
c/o Bell Oil Company
5915 Rogers Avenue
Chicago, Illinois

Reverend C. MARZANO, CSV
6219 Sheridan Road
Chicago, Illinois

CURTIS N. VILAS
P. O. Box 108
Sarasota, Florida

F. J. CURRY
516 Western Avenue
Joliet, Illinois

It is noted that Mr. CURRY stated in his letter that he was operating DE LUCIA's farm during his absence.

The file reflects that the subject was eligible for parole on 7/7/47, and was granted parole on 8/13/47. Reverend C. MARZANO agreed to act as DE LUCIA's parole adviser. Subject stated that he would live at 812 Lathrop Avenue, River Forest, Illinois, with his wife and three children. He stated he would be employed in the management and operation of his 1100 acre farm at the above address.

The file contains a copy of a memorandum dated 8/14/47, from the Director, FBI, to the Director, Bureau of Prisons, advising that a confidential source had informed that subject was visited on several occasions at the Federal Penitentiary in Atlanta, by MURRAY HUMPHRIES, a Chicago racketeer. It was stated that HUMPHRIES used the name of JOSEPH BULGER, a Chicago attorney, when making these visits.

A review of subject's visiting records, made by the Bureau of Prisons, showed that BULGER had visited subject at Leavenworth and also at Detention Headquarters in New York City. The visits to Leavenworth were made with EUGENE BERNSTEIN, a Chicago attorney, for the purpose of discussing tax matters.

The file contains a copy of a letter dated 9/18/47, to the Director, FBI, from DANIEL M. LYONS, Chairman, U.S. Board of Parole, in which it is requested that investigation be made to determine if the person visiting subject under the name of JOSEPH BULGER was actually MURRAY HUMPHRIES. A letter dated 10/18/47, to DANIEL M. LYONS from the Director, FBI, advised that ANTHONY ACCARDO had accompanied EUGENE BERNSTEIN on visits with the subject at Leavenworth. The letter states that prison employees had identified ACCARDO's picture as JOSEPH BULGER.

The file contains a memorandum dated 9/3/47, stating that JAMES DORHERTY, Chicago Tribune, had visited the U.S. Board of Parole

regarding subject. On the bottom of this memorandum is stated, "Would like to find out everything about those paroles. Referred to Public Relations." After this statement appeared the initials "WKU."

In a letter dated 10/22/47, to A. E. GOTTSHALL, not identified, Mr. T. VINCENT QUINN, Assistant Attorney General, states that subject has failed to disclose source of funds to defray income taxes and that his parole may be revoked under "willful concealment."

A memorandum dated 11/7/47, to DANIEL M. LYONS, Chairman, Board of Parole, from Mr. QUINN, states that parole may be revoked on the basis of "concealed information." On the bottom of this memorandum in longhand is written, "Do you wish to take this matter up now? The Grand Jury is now sitting on this case in Chicago." The initials "DML" appear after this statement. Beneath this appears the statement, "Not at this time," followed by the initials "TWR." Beneath this appears the statement, "I concur," with the initials "BJM" and the date "12/1/47."

The file contains a document entitled, "Referral for Consideration of Alleged Violation," dated 6/15/48, which states that the subject is guilty of the following offenses:

1. Failure to make full and truthful written reports to the Supervisor of Parole.

2. Untruthful statements for expenditures, December, 1947, and January, 1948.

3. Association with persons of bad reputation.

4. Failure to conduct himself honorably.

5. Failure to reveal source of monies used in settlement of Internal Revenue tax when questioned before a legally constituted body.

The file reflects that on 6/15/48, a warrant was issued for the subject's arrest.

The file contains copies of numerous letters during 1948, exchanged between Dr. GEORGE G. GILLINGER, Chairman, U.S. Board of Parole, and WILLIAM SCOTT STEWART, 77 West Washington Street, Chicago, Illinois,

an attorney representing the subject. These letters discuss revocation, hearing and procedure under the Administrative Procedure Act. The file contains no evidence of a hearing for the subject, and in a letter dated 10/6/48, from GILLINGER to STEWART, it is stated, in part: "Respecting your request for an early appearance of DE LUCIA before the Board. . . the Board only holds interviews with parolees and parole violators when they are in custody in a Federal penal institution."

The file reflects that on 11/23/48, subject was released on a Writ of Habeas Corpus.

The file contains an undated, unsigned memorandum entitled "PAUL DE LUCIA," in which substantially the following information is set forth:

1. Question re tax monies - $39,000 settlement.

2. Question report for month of daughter's wedding. Newspaper says $25,000 reception. No such expenditure shown on month in question.

3. Source of expenditure monies for December-April, "Disbursements from funds previously on hand."

4. Association with FRANCIS CURRY.

5. Lack of knowledge of source of HUGHES's attorney fee. Subject had any attorney fees in December? (DILLON attorney fees) Nothing is shown on monthly parole report. Subject supposed to have paid $5,000.

There was no explanation of this memorandum, and it is noted that it appeared in the file between correspondence which was dated in April and June, 1948.

These files contained FBI report of SA ROBERT E. RIGHTMYER made at Chicago, Illinois, on June 12, 1948, entitled "LOUIS CAMPAGNA, was., et al - BRIBERY; PAROLE MATTERS." This report was sent to the Assistant Attorney General by routing slip dated June 14, 1948, and reflects the results of investigation into the expenditures covering wedding reception held on January 24, 1948, on the occasion of the

marriage of MARIE DE LUCIA to ALEX B. PONZIO. This report reflects that the hotel bill for the reception was paid for in cash by PAUL DE LUCIA to the amount of $12,324.58.

The file indicates that on 11/22/50, a warrant was issued for the subject as a parole violator, and that on 11/24/50, he was released on a Writ of Habeas Corpus. The file reflects that on 9/9/52, subject was granted conditional liberty in the custody of the Attorney General under supervision of the Board of Parole. The file contains no evidence of any hearing for the subject in 1952.

WFO 58-new
WTF;RKL:PCN

FINANCES

These files contain typed excerpts of the hearing before the Special Committee to Investigate Organized Crime in Interstate Commerce, United States Senate, held on Saturday, September 9, 1950. These hearings concerned PAUL DE LUCIA as witness and were concerned with DE LUCIA's finances.

When DE LUCIA was questioned as to how much money he had on hand at the time he went to the penitentiary, he replied that he had $300,000.00 in cash, all of which was retained in his home. At one point in his testimony Senator WILEY made the statement, "I might say for the record here that his 1950 statement shows assets of $390,000.00 and he has here notes payable of $625.00, mortgage payable of $10,000.00, loan payable, mortgage Long Beach property $40,000.00 and mortgage payable Prudential Insurance Company of America $84,000.00. It is interesting to note that he lists his land at $18,000.00. He built a new barn for $81,000.00."

During the testimony, DE LUCIA pointed out that he had borrowed money on his farm and on his house and Senator WILEY inquired as to why he had borrowed this money when he had $300,000.00 on hand in cash. DE LUCIA could make no satisfactory explanation as to why he had borrowed this money. DE LUCIA indicated during his testimony that he had borrowed $80,000.00 from HUGO BENNETT, who is the Bookkeeper of the Sportsmen's Track and stated at the time of his testimony he owed him the $80,000.00. When Mr. HALLEY inquired as to what interest he paid on this money, he stated he did not know what it was, but believed either four or six per cent. When further inquiry was made as to whether he had paid any of this back, he stated that he had an understanding that in five years he was to pay interest and indicated that up until the time of this hearing he had paid no interest and nothing on the principal. DE LUCIA explained that this was because HUGO BENNETT was a friend of his and this was a "friendly transaction".

These files further reflect excerpts of testimony from an Executive Session of the aforementioned Committee which was held in Chicago, Illinois, on October 6, 1950. At this time DE LUCIA was further questioned regarding his finances and he was asked what he had done with $300,000.00 since he came out of the penitentiary, to which he replied he used it on his farm and living and stated he had approximately $40,000.00 left at that time. He added that in addition to the $300,000.00 he had borrowed $91,000.00.

Mr. HALLEY pointed out to DE LUCIA he must have spent approximately $351,000.00 since his release from jail in 1947, to which DE LUCIA replied

that all this money was spent in living or improvement of his farm and according to Mr. HALLEY the books and accounts maintained by DE LUCIA showed expenditures of approximately $130,000.00 on the farm, leaving the balance unexplained. DE LUCIA was unable to give a satisfactory explanation as to the expenditure of the balance of his money.

These excerpts disclosed no information or explanation of the expenditures of DE LUCIA in regard to the wedding afforded his daughter in January, 1948.

The files contain the applicant's monthly parole reports from September, 1947, through September, 1952. The files contain a summary dated November 6, 1950, of the subject's income and expenditures as was taken from the parole reports. The summary is broken down as follows:

Income	
1. Funds on hand	$272,862.12
2. Borrowed	91,000.00
3. Miscellaneous income, excluding farm	2,950.53
Total	$366,812.65

Expenditures	
1. Living expenses	$ 70,575.00
2. Farm operation	243,115.97
3. Stock purchase	1,734.88
4. Other (taxes, attorney fees, etc.)	29,908.99
Total	$345,334.84

It is pointed out in this summary that there is a $20,000.00 difference in income and expenditure items traceable to the June, 1948, report in which receipts exceeded expenditures by $23,000.00, which balance was not carried forward.

The subject's monthly parole report for December, 1947, indicates that he spent $6,919.35 from funds previously on hand.

The January, 1948, parole report indicates total expenditures of $5,205.69 from funds on hand. The expenditure is broken down as, On farm $3,205.69 and living expenses $2,000.00. There is no indication on this report of any expenditure for a wedding reception. It was further

noted that there is no notation or accounting on this report of any gifts by friends. On the back of the January, 1948, report are listed the comments of Probation Officer JOSEPH G. COLOSIMO. There is no comment concerning any wedding reception and COLOSIMO states in part, "DE LUCIA is getting along well -- getting farm in condition to take over full time on 3/1/48. Good attitude and is adjusting well though there is much publicity about his parole release. Congressional and Federal Grand Jury investigations worry him. He is sincere and wants to make good on parole".

RECENT DEVELOPMENTS

These files contain a memorandum dated October 16, 1952, to the Parole Board, Attention of Dr. KILLINGER, from CHARLES B. MURRAY, Assistant Attorney General, captioned United States ex rel PAUL DE LUCIA v. THOMAS P. DONOVAN, Marshal. This memorandum bore the initials CBM:AEG:ls under which were the numbers 123-51-18.

This memorandum pointed out that the Parole Board "had been furnished a copy of a memorandum opinion of August 21, 1952, by Judge IGOE, Northern District of Illinois, granting a writ in the above case and ordering the petitioner DE LUCIA discharged from the technical custody of the respondent marshal and to be restored to the custody of the Attorney General under supervision of the Board of Parole. The order which gave final effect to Judge IGOE's opinion and conclusions is dated September 9, 1952".

This memorandum further continued, "The views of the United States Attorney (Chicago) are contained in his letter to this division dated September 23, 1952". A search of the files failed to disclose a copy of this letter; however, the captioned memorandum summarized the letter dated September 23, 1952, as "The letter advised that the principal concern centers about the Parole Board's allegation that DE LUCIA violated the conditions of parole through failure to have included in his monthly report for January, 1948, an amount exceeding $12,000.00 representing expenses incurred in connection with a wedding reception for his daughter. This alleged violation is disposed of in favor of the petitioner with the finding of Judge IGOE that (a) the petitioner had acquainted the Probation Officer with the facts of this matter and that his report had been accepted and, (b) that there was no evidence that the funds so expended belonged to the petitioner, since they had been contributed by the guests at the reception and constituted gifts to the newly married couple. You will note that the United States Attorney expresses the belief that evidence necessary to overcome the position taken by the court is probably lacking and, if so, he inclines to the view that a subsequent revocation of parole could not be sustained in a habeas corpus proceeding". This letter further continued that the Criminal Division would appreciate an early reply on this matter.

WFO 58-new

By letter dated October 21, 1952, to CHARLES B. MURRAY, Assistant Attorney General, from GEORGE B. KILLINGER, Chairman, United States Board of Parole, it was stated that, "This case has been carefully reviewed by a majority of the Board, and we agree that we do not have evidence sufficient and necessary to sustain a subsequent revocation of parole should a habeas corpus proceeding be forthcoming. The only new allegation in this particular case as compared to the CAMPAGNA - GIOE Cases is the expenditures incurred in connection with DE LUCIA's daughter's wedding, and we have always felt that this evidence was not too well-founded.

"We do not, therefore, feel that an appeal should be taken from Judge IGOE's order in this case."

A review of the United States Board of Parole and Bureau of Prisons files failed to disclose any investigation other than the aforementioned FBI report concerning the allegation that DE LUCIA spent $12,000.00 in January, 1948, for his daughter's wedding reception. These files do not reflect any request for an FBI investigation since June, 1948. These files further failed to show any transcript of a hearing by the United States Board of Parole for DE LUCIA for this matter or any other matter subsequent to his parole on August 13, 1947.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: November 18, 1952

FROM : SAC, WFO (58-425)

SUBJECT: PAUL DE LUCIA, was., ET AL
BRIBERY; PAROLE MATTER

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/95 BY SPSC

INTERVIEW WITH DR. GEORGE G. KILLINGER, CHAIRMAN, U. S. BOARD OF PAROLE

Dr. GEORGE G. KILLINGER was interviewed in his office in the HOLC Building, First Street and Indiana Avenue, N.W., on November 18, 1952, by Special Agents WILLIAM E. FENIMORE and ROBERT K. LEWIS.

Dr. KILLINGER advised he entered his present employment on May 18, 1948, and shortly thereafter at the direction of Mr. PEYTON FORD, then Deputy Attorney General, he travelled to Chicago to review the parole matters of the subjects in this case. He stated that he reviewed these cases and in doing so worked closely with United States Attorney OTTO KERNER, JR., and MICHAEL HORAN, a Department of Justice Attorney. He stated that while in Chicago he first learned of the matter regarding the wedding reception of PAUL DE LUCIA'S daughter. He said he talked with DE LUCIA'S probation officer, JOSEPH G. COLOSIMO, regarding this wedding reception and said that it was his feeling that COLOSIMO had been entirely too lenient with DE LUCIA and that COLOSIMO regarded the reception as a normal Italian custom. COLOSIMO informed him that it was normal at a Italian reception for the guest to give cash gifts to become the property of the bride and groom. Dr. KILLINGER advised that he felt that COLOSIMO had been too lenient with DE LUCIA and had not closely supervised his parole. He added that at that time he felt the entire parole system was rather lax and did not require close enough supervision of parolees. He pointed out that COLOSIMO had permitted DE LUCIA in his monthly parole reports to itemize his income and expenditures in approximate figures and had not required any strict accounting thereof. He stated he felt that COLOSIMO had been too sympathetic toward DE LUCIA and added that COLOSIMO had told him that he had been agreeable to the holding of this wedding reception and ~~they~~ he had also informed him that the subject was sincere and doing very well on parole. He stated COLOSIMO had also informed him that he did not feel it was his duty to investigate the source of payment for this wedding reception. Dr. KILLINGER commented that

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probation officers have a great trust placed upon them and are permitted considerable freedom of judgment in their supervision of parolees. He stated that certain matters are left to the discretion of the probation officer and that a probation officer might undertake an investigation upon his own initiative and write a report reflecting the results thereof. He stated that if such a report was submitted it would go to the chief probation officer of the region in which the investigating probation officer was employed and a copy would be forwarded to the U. S. Board of Parole at Washington. However, he also pointed out that it was possible a probation officer might institute an investigation upon his own initiative, and feeling that he had not developed pertinent information, write no report. Dr. KILLINGER also added reports are normally only written on matters which the probation officer felt vitally effected the parolee's adjustment or status.

Dr. KILLINGER stated that since COLOSIMO had permitted "Approximate" reports to be furnished by the subject he felt that the matter of the wedding reception was the Parole Board's "weakest link" for possible revocation of the subject's parole. Dr. KILLINGER advised that he had COLOSIMO removed from the DE LUCIA case about June, 1948. KILLINGER stated that in addition to COLOSIMO'S lenient attitude toward the subject he understood that he was also a distant relative of the proprietor of Colosimo's Restaurant, a hang out for hoodlums, and he felt that such relationship might cause embarrassment to the Parole Board.

As far as investigation of the wedding reception is concerned Dr. KILLINGER stated that he knew of no investigation except that conducted by the FBI. He stated he never discussed the wedding reception with COLOSIMO after his trip to Chicago in May, 1948, nor did he ever receive any correspondence from COLOSIMO concerning the reception. He added that he believes he had heard that COLOSIMO made some investigation at the Blackstone Hotel but cannot recall the source of same. KILLINGER stated he had no knowledge of any interview of DE LUCIA by COLOSIMO and had never received any report of such an interview. He pointed out, however, such was not unusual since the local probation officer was granted wide discretion as to whether or not a report would be submitted or just the running memorandum maintained in the local office. He stated that he has no reports from COLOSIMO other than the subject's monthly parole reports.

Dr. KILLINGER pointed out that he is a psychologist and not a lawyer and therefore has not fully followed the complex litigation involved in this case. He stated that he has relied entirely upon OTTO KERNER and A. E. GOTTSHALL for legal opinions. He stated that as far as he knows DE LUCIA has never been in a federal penitentiary since the time of his parole and therefore there has never been a Parole Board hearing. He explained it was necessary that a parolee be confined in federal custody at a federal penitentiary before he could be afforded a hearing before the Parole Board regarding the revocation of the parole. He stated that he had heard that DE LUCIA submitted an affidavit naming the persons who supposedly paid for his daughter's wedding reception at a habeas corpus hearing. He stated that he had not been present at any of the subject's habeas corpus hearings but believed this affidavit was presented during a hearing on May 16, 1952. He added that he did not know whether or not information appearing in FBI reports was submitted at that hearing. Dr. KILLINGER pointed out that he had no knowledge of what transpired at the subject's habeas corpus proceedings and therefore was not acquainted with any investigation which may or may not have arisen as a result of the material or testimony presented at such hearings. He stated that the Board of Parole does not request investigation as a result of matters presented in court but that this is left to the discretion of the particular U. S. Attorney. He stated that he did not know whether or not further investigation had been conducted in this case as a result of the subject's defense and added that in recent months he had left this matter to be handled by U. S. Attorney KERNER.

As to whether or not there is sufficient evidence to sustain a revocation of parole at this time Dr. KILLINGER stated that since he is not a lawyer he is not in a position to make an independent opinion but must rely upon the legal opinion of A. E. GOTTSHALL and has done so.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: November 26, 1952

FROM : Mr. Rosen

SUBJECT: LOUIS COMPAGNA, was.; CHARLES GIOE, was.; PHILLIP D'Andrea, was.; PAUL DeLUCIA (RICCA), was.; JOHN ROSELLI, was.
BRIBERY; PAROLE MATTERS

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
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Gandy

G.I.R. -3

SAC John Malone was contacted at Chicago with reference to the action of the Advisory Staff meeting on November 25, 1952, with reference to the parole matter of DeLucia, Compagna and Gioe.

SAC Malone was informed that the Attorney General desires that an immediate full and complete investigation be conducted of Compagna, DeLucia and Gioe to see whether any new evidence might be developed that would warrant revocation of their parole. It was pointed out to Mr. Malone that the Director has stated that this is a very important matter and it is his desire that it be given very prompt and thorough attention. He was further informed that the Director desired that this new inquiry include investigation into the wedding expenses for DeLucia's daughter.

Malone was reminded that one lead is under consideration at San Francisco to show photographs to [redacted] to determine if he can identify one Jimmy Ryan. Malone was informed that interviews with Chicago characters Gerald Covelli and Smoky Allissio may be helpful in this regard.

b7D

Malone was informed that individuals contacted should not be advised that this investigation was being conducted at the Attorney General's request. SAC Malone was advised that where necessary leads should be set out by teletype for other offices and that this matter must receive his close personal supervision. A deadline was set of one week, December 3, 1952, for the completion of the investigation and the submission of the report by Chicago and all other offices having investigation.

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/95 BY SRS

79 DEC 8 - 1952

STANDARD FORM NO. 64

Office Memorandum • UNITED GOVERNMENT

TO : Mr. Ladd

DATE: November 14, 1952

FROM : Mr. Rosen

SUBJECT: LOUIS CAMPAGNA, Was.; CHARLES GIOE, Was.; PHILLIP D'ANDREA, Was.; PAUL DE LUCIA (RICCA), Was.; JOHN ROSELLI, Was.
BRIBERY
PAROLE MATTERS

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Rm.
Nease
Gandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/95 BY SP5 al/ca

SYNOPSIS:

Washington Field Division and SAC Malone, Chicago, instructed to institute inquiry to determine action taken by Parole Board, Washington, D. C., Parole Officer, Chicago, and U. S. Attorney, Chicago, with reference to statements made by De Lucia (Ricca) that funds for wedding reception held January 1948, were provided by friends and guests. Both offices instructed to give top priority and to handle thoroughly.

SAC Malone advises with reference to procedure in this case that we carried out instructions of U. S. Attorney. Letter in Chicago file to U. S. Attorney dated July 13, 1948, specifically summarizing investigation requested to date. This letter did not contain any information regarding request to investigate De Lucia's statement re funds. None, of course, received. However, letter to U. S. Attorney definitely makes additional record FBI not requested to investigate this phase. Letter sent five days after news reports of De Lucia's claim re payment of funds, which was on July 8, [redacted] 1948.

PURPOSE:

To advise of action which has been taken in this matter.

DETAILS:

1. This morning, November 14, 1952, Special Agent Robert Lewis and Special Agent William Forsyth of the Washington Field Office were briefed at the Bureau as to the investigation to be conducted at the Board of Parole relative to whether any action was taken by the U. S. Board of Parole concerning De Lucia's claim that funds were expended for a wedding reception which had been provided by friends and guests and were not his own.

Specifically these Agents were instructed to immediately make a review of the file concerning De Lucia and thoroughly go through all action taken with respect to the attempt to revoke

cc: Mr. Clegg

EHW:jh

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his parole and to particularly review for any information concerning any action or reason for inaction in connection with the wedding reception matter. They were also instructed to be alert for any item having any bearing on the Department's handling of the appeal in this case, which in turn may be of interest to Mr. Clegg's phase of this investigation. The Agents were also instructed to interview the appropriate official with respect to the wedding reception phase.

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2. SAC Malone at Chicago was telephonically contacted at 12:45 P.M. and was issued instructions that the Parole Officer in Chicago handling this matter be interviewed after a review has been made of his file. Mr. Malone was instructed to be particularly alert for anything in the file concerning the wedding reception phase, but at the same time to review the file concerning De Lucia for anything additional that was pertinent.

Mr. Malone was also instructed to contact the United States Attorney's Office, review its file in this same regard and also interview United States Attorney Kerner. He was told not to interview Kerner with respect to the handling of the appeal at this time but to remain alert for anything of pertinence that might be disclosed in the United States Attorney's file. Malone is to give us a status report this evening, November 14, 1952.

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3. SAC Malone advised that he believed that a letter dated July 13, 1948, from SAC McSwain to United States Attorney Kerner appearing in the Chicago Division's file in this matter is pertinent and that this letter was sent to United States Attorney Kerner five days after the news article of July 8, 1948, which quoted De Lucia (Ricca) as stating that friends and guests paid for the wedding reception.

The letter referred to by Malone sets forth a summary of the specific investigation which had been requested by the United States Attorney in connection with the De Lucia matter. It itemized the investigation which had been requested but, of course, did not list any investigation requested relative to De Lucia's claim as to who paid for the reception. Malone stated that this is of

pertinence inasmuch as it is additional record that we had not been requested to conduct investigation concerning the statement of De Lucia. Since the newspaper item appeared on July 8, five days previous, and no request was ever forthcoming from the United States Attorney's Office, Mr. Malone stated that he felt this was entirely consistent with the fact that we conducted that investigation which the United States Attorney had requested and that it is a matter of record of that investigation which had, in fact, been requested.

ACTION:

This matter is being followed very closely and carefully. Each office was told to submit a summary-type insert which can be utilized in the preparation of the report handling the over-all request of the Attorney General, which in turn will be prepared at the Seat of Government.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

NOV 18 1952

TELETYPE

FBI CHICAGO G.I.R.-6 11-18-52 7-30 PM JOC

DIRECTOR, FBI U R G E N T

LOUIS CAMPAGNA, WAS ETAL, BRIBERY, PAROLE MATTER. REBURCAL INSTANT. AUSA JOHN LULINSKI REITERATED THAT DEFINITELY DELUCIA WAS NEVER ON STAND. LULINSKI WAS QUESTIONED SPECIFICALLY AS TO MEANING OF LAST THREE LINES OF LETTER OF SEPT. TWENTYTHIRD LAST FROM USA CG TO DEPT. WASH. NAMELY QUOTE DE LUCIA HAS OF COURSE IN THE PRIOR ETC. UNQUOTE. HE STATED THAT THIS REFERRED TO OATHS WHICH WERE IN THE FORM OF AFFIDAVITS ATTACHED TO PLEADINGS SUBMITTED TO THE JUDGE IN SUPPORT OF PETITIONS FOR WRIT OF HABEAS CORPUS WHICH WERE FILED IMMEDIALELY UPON ISSUANCE OF THE TWO WARRANTS INVOLVED. THE INSTANT CASE REFERRED TO WAS THE SECOND HABEAS PROCEEDINGS SUPPORTED BY TWO PETITIONS AND ONE TRAVERSE OF DE LUCIA DATED NOV. TWENTYSEVEN NINETEEN FIFTY, DEC. ONE, FIFTY, AND MARCH THIRTY, FIFTYONE RESPECTIVELY . MR KERNER WHEN INTERVIEWED NOV. FOURTEEN STATED THAT HE NEVER HAD AN OPPORTUNITY TO PLACE DE LUCIA ON THE STAND FOR CROSS EXAMINATION BECAUSE THE MATTER WAS HANDLED BY JUDGE IGOE FROM THE BENCH UNDER PLEADINGS WHICH CONSISTED OF PETITIONS AND AFFIDAVITS FROM DE LUCIA. COLOSIMO AND COLLINS, U.S. PROBATION OFFICE CG REINTERVIEWED. STATED THAT NO INVESTIGATION WAS REQUESTED OF THEIR OFFICE BUT ON OWN INITIATIVE CONDUCTED AN INQUIRY OF DE LUCIA AS TO THE SOURCE OF MONEY FOR DAUGHTER-S RECEPTION.

---END OF PAGE ONE----------

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DE LUCIA WAS INTERVIEWED BY COLOSIMO AND FISCHER AND SATISFIED THEM AS TO SOURCE OF MONEY IN QUESTION. INASMUCH THEY WERE SATISFIED THAT NO VIOLATION OF PAROLE RESULTED FROM WEDDING, NO REPORT WAS MADE OR DEEMED NECESSARY EITHER TO PAROLE BOARD AT WASH. OR TO USA. FELT THEY HAD NO RESPONSIBILITY TO REPORT TO USA. IF SUCH A REPORT WAS NECESSARY FISCHER WOULD HAVE BEEN RESPONSIBLE TO MAKE IT.

MALONE

END AND ACK PLS

8-37 PM OK FBI WA RD

TU DISCM

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: December 1, 1952

FROM : L. B. Nichols

G.I.R.-6

SUBJECT: LOUIS CAMPAGNA; PAUL DE LUCIA
PAUL RICCA; CHARLES GOIE
BRIBERY, PAROLE VIOLATORS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/95 BY SPSC/CW

Tolson
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Belmont
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Glavin
Harbo
Rosen
Tracy
Laughlin
Mohr
Winterrowd
Tele. Rm.
Holloman
Gandy

For record purposes, upon receipt of a teletype to the Director from the Indianapolis Office, at 1:09 p.m. Saturday, November 29, 1952, Wick in my office at 1:34 p.m. that day called ASAC Stiles of the Indianapolis Office instructing him to make no comment to press inquiries regarding the above-captioned case.

The incoming teletype from Indianapolis stated their office would answer inquiries from the press in this case to the effect that the Bureau is conducting an investigation at the request of the Attorney General.

cc - Mr. Ladd
Mr. Rosen

REW:ptm

EX. 107

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ERAL BUREAU OF INVESTI
D STATES DEPARTMENT OF

To: COMMUNICATIONS SECTION. DECEMBER 2, 1952 AIRTEL

Transmit the following message to: SAC, WASHINGTON FIELD (BSM) PERSONAL ATTENTION

LOUIS COMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTERS. ATTORNEY GENERAL HAS REQUESTED THE BUREAU TO CONDUCT AN IMMEDIATE, FULL AND COMPLETE INVESTIGATION OF THE CONDUCT OF THE SUBJECT, OF HIS CODEFENDANTS AND FELLOW PRISONERS DE LUCIA AND CIOR SINCE THEIR RELEASE ON PAROLE ON AUGUST THIRTEEN, FORTYSEVEN, FOR THE PURPOSE OF DETERMINING WHETHER THEY HAVE COMPLIED WITH THE TERMS AND CONDITIONS OF THEIR PAROLE. PURPOSE OF INVESTIGATION IS TO DETERMINE WHETHER ANY NEW EVIDENCE CAN BE DEVELOPED THAT WILL WARRANT REVOCATION OF PAROLES. INQUIRY IS TO INCLUDE INVESTIGATION INTO WEDDING EXPENSES FOR DE LUCIA'S DAUGHTER JANUARY TWENTYFOUR, FORTYEIGHT AT CHICAGO. ANY EVIDENCE OR INDICATION OF BRIBERY CORRUPTION OR GRAFT IN THE HANDLING OF PAROLES IN THIS MATTER MUST BE THOROUGHLY AND IMMEDIATELY RUN OUT. YOU SHOULD IMMEDIATELY REVIEW FILES AT THE U.S. BOARD OF PAROLE FOR ANY INFORMATION INDICATING SUBJECTS HAVE NOT COMPLIED WITH CONDITIONS OF THEIR PAROLE AND FOR INFORMATION CONCERNING WEDDING EXPENSES OF DE LUCIA'S DAUGHTER JANUARY TWENTYFOUR, FORTYEIGHT, WHICH WAS PREVIOUSLY CHECKED BY YOUR OFFICE. DURING THE REVIEW YOU SHOULD REMAIN ALERT TO ANY INDICATION OF BRIBERY, CORRUPTION OR GRAFT IN HANDLING OF PAROLES IN THIS MATTER. THIS REVIEW SHOULD BE COMPLETED AND RESULTS INCORPORATED IN REPORT FORM WITH THREE COPIES TO BUREAU AND TWO COPIES TO CHICAGO, ORIGIN, BY DECEMBER THIRD NEXT. ANY LEADS ARISING FROM REVIEW OF FILES SHOULD BE SET OUT BY TELETYPE FOR OTHER OFFICES AND DEADLINE OF DECEMBER THIRD SET. THIS IS A VERY IMPORTANT MATTER AND MUST RECEIVE YOUR PERSONAL SUPERVISION.

SENT VIA Chicago (AIR MAIL SPECIAL DELIVERY) M Per

JGL:RAL

(See page 2)

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G.R.

DEC 1952

NOTE: Chicago instituted investigation in this matter November 26, 1952. Pertinent information concerning the paroles of the subjects appears in the files of the Parole Office at Chicago, according to previous reports. However, in the interest of thoroughness, it is believed that the files of the U. S. Board of Parole at Washington should also be reviewed. The WFO has been furnished with background information concerning this case previously and recently checked the Parole Board records for specific information in connection with the Attorney General's inquiry into the failure of the Department to file an appeal from the decision of Judge Igoe at Chicago September 9, 1952 in favor of DeLucia, one of the subjects, in a habeas corpus proceeding.

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Tele. Rm.
Holloman
Gandy

SAC, Washington Field

December 2, 1952

Director, FBI (58-2000)

PERSONAL ATTENTION

LOUIS COMPAGNA, was. et al
BRIBERY; PAROLE MATTERS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/95 BY SP5a/aw

The Attorney General has requested an immediate, full and complete investigation be conducted of Louis Compagna, Paul DeLucia and Charles Gioe to determine whether any new evidence can be developed that would warrant revocation of their paroles granted August 13, 1947.

This investigation is also aimed at developing any suggestion that there might have been any bribery, corruption, or graft in the handling of paroles in this matter. All such allegations are to be completely and thoroughly investigated.

On June 18, 1952, Allen Bernard, describing himself as a free-lance writer, address 413 East 52nd Street, New York, New York, reported to the Chelf Committee that he had information to prove that the amount of $750,000 was paid to obtain the paroles of the subjects in this case. He alleged that the payoff involved three people representing the subjects and three people who split the $750,000. According to him the then Attorney General Tom Clark received $250,000, while another $250,000 went to a "place higher than Clark," which he indicated was someone in the White House.

Information has been received very confidentially that Bernard was interviewed by a representative of the Chelf Committee, at which time he indicated he had received his information from two informants. He claimed to have in his possession the numbers and denominations of the bills paid to Clark, but refused to furnish these details. He stated during this interview that Maury Hughes, an attorney in Dallas, Texas, was a front man, and the split was made one third to Clark, one third to the President and one third to Hughes.

The Bureau files reflect that Confidential Informant Robert M., whose reliability is unknown, advised in 1943 that Allen Bernard, a newspaperman, had former close Communist ties.

Attachment

cc: 1-New York (with enclosure)
1-Chicago (with enclosure)

JGL:njf

Nelson
Ladd
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COMM-FBI

6 7 DEC 17 1952

RECORDED - 66
58-2000
DEC 5 1952
EX-107

RECEIVED
U.S. DEPARTMENT OF JUSTICE
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FBI
ROOM

2136

The New York Office should immediately interview Bernard for all information in his possession concerning the allegations made by him. The results of this interview should be incorporated in report form, three copies of which should be submitted to the Bureau and two copies to Chicago, the office of origin.

The Washington Field Office should immediately review the records of the Chelf Committee for all information furnished to the Committee by Bernard concerning the alleged bribery and other matters involved in this case. Any other pertinent information appearing in the files concerning this case should also be reviewed. The results of this review should be incorporated in a report, three copies of which should be submitted to the Bureau and two copies to Chicago.

The results of the requested investigation should be submitted to the Bureau by December 5 next.

This is a very important matter and should receive your personal supervision. There is attached for the assistance of the Washington Field Office and the New York Office a copy of a memorandum made available to the Bureau by a representative of the Chelf Committee reflecting information furnished by Bernard on June 18, 1952, concerning this matter.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: December 4, 1952

FROM : A. Rosen

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Laughlin
Mohr
Winterrowd
Tele. Rm.
Holloman
Gandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/95 BY SPSA/aw

SUBJECT: LOUIS COMPAGNA, et al.
BRIBERY
PAROLE MATTERS

Call: 10:05 a.m.

SAC Malone was telephonically contacted at Chicago with reference to the story that [redacted] a Los Angeles [redacted] of Hearst Advertising Agency, has given to the effect that [redacted] in 1948 or 1949 made the statement that her [redacted] a Chicago hoodlum, had related that he was instrumental in [redacted] to be paid as a bribe for the parole of Compagna, Gioe, and DeLucia.

Malone was informed that the Bureau considers this allegation most significant. He was informed that the matter must be run out completely as soon as possible. He was told that inasmuch as this involved allegations of fraud, bribery, and misconduct of Government employees, [redacted] should be interviewed under oath and any information she furnishes reduced to a signed statement.

b6
b7C

Malone pointed out that Hayward, Wisconsin, is twenty miles from Chicago, and that Milwaukee has no background on this important investigation. He requested Bureau authority to have Chicago Agents entirely familiar with this matter proceed to Hayward to conduct the interview.

ACTION TAKEN:

Malone was informed that, unless advised to the contrary, Chicago Agents should conduct the interview with [redacted] at Hayward, Wisconsin, placing her under oath and taking a signed statement.

It was pointed out to Malone that any significant statements given by any witnesses during the course of this investigation should be taken in the form of signed statements under oath.

FLP:mfb

cc - Mr. Glavin

RECORDED-20

58-2000-2137

DEC 4 1952

62 DEC 12 1952

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: November 14, 1952

FROM : SAC, Chicago (56-194)

SUBJECT: LOUIS CAMPAGNA, et al
BRIBERY - PAROLE MATTER

3/8/95 SPSaf

Re Bureau calls November 13, 1952 requesting that a check of the files of the Chicago Office be made to ascertain whether or not any request was received from the United States Attorney in Chicago or from the Parole Board to investigate the source of the $12,000 involved in putting on a wedding for the daughter of PAUL DE LUCIA, one of the subjects in the instant case. It was further requested that any pertinent information in the files of the Chicago Office in regard to this wedding be furnished. The following is the information as reflected in the files of the Chicago Office:

A memorandum from ASAC RICHARD N. HOSTENY for the Special Agent in Charge under date of July 9, 1948 is as follows:

> "This is to record that the writer received a telephone call from AUSA LARRY J. MILLER at 11:43 a.m. on June 9, 1948, in connection with the captioned matter, and he stated he had just received a telephone call from U. S. Attorney OTTO KERNER, JR., who was at that time in Washington, D. C., in the office of Assistant Attorney General PEYTON FORD. Mr. MILLER related that Mr. KERNER had requested him to immediately contact this office with a view to having this Bureau immediately initiate an investigation into the wedding reception for the daughter of PAUL DE LUCIA recently held in the Blackstone Hotel. Mr. MILLER stated it was desired that we ascertain the full details regarding this reception, particularly how much the bill was, who paid it and how. He related that no reason was given by Mr. KERNER for the desirability of this data, but that in view of the fact he and Mr. FORD were then discussing the matter, it appeared rather urgent. He said further that Mr. KERNER expressed the hope that the desired investigation could be completed by the time of his return to Chicago - tomorrow afternoon or Friday morning."

RECORDED - 71

EX-112

JFM/gls

AIR MAIL SPECIAL DELIVERY

30 DEC 11 1952

2138

Director, FBI

Re: LOUIS CAMPAGNA, et al
BRIBERY - PAROLE MATTER

"I advised Mr. MILLER that since this request was a deviation from the other matters handled by this office, it would be appreciated if he could make such a request in writing. He stated he would do this."

In confirmation of the above-mentioned telephone call, the following letter was received via messenger from the office of the United States Attorney in Chicago:

"In accordance with my telephone conversation with Mr. RICHARD HOSINY this morning, it is requested that further investigation be conducted in the above matter with reference to the wedding reception held sometime the early part of this year at the Blackstone Hotel in Chicago. This wedding reception was held in connection with the marriage of the daughter of PAUL DELUCIA, one of the subjects. It is believed the reception was staged by PAUL DELUCIA.

"It is my desire that I be furnished, as soon as possible, with all information available concerning this wedding reception, particularly at whose request and order it was staged; what was the amount of the hotel bill, and other expenses; who paid said expenses; when and how was payment made; and any other pertinent facts that your investigation may disclose.

"Your fine cooperation in this matter is and will be greatly appreciated."

In answer to the request of June 9, 1948 in regard to the wedding of DE LUCIA's daughter, an investigation of the wedding in question was conducted on June 12, 1948 by Special Agent ROBERT E. RIGHTMYER and reported in his report of the same date.

According to excerpts in the "Chicago Daily News" and "Chicago Daily Tribune," dated July 8, 1948, the following was contained:

"RICCA (DE LUCIA) contended that he had discussed his daughter's wedding with parole authorities both before

and after the event. He was urged to go as a 'good citizen' and 'proper family man' he asserted.

"$16,000 spent for supper and champagne for 700 guests at the wedding reception at the Blackstone Hotel, January 24th, was contributed by the guests. It was an old Italian custom, he stated and no affair of his."

The files of the Chicago Office failed to reflect any request for further investigation of the wedding of DE LUCIA's daughter other than that requested in the telephone conversation and follow-up letter of June 9, 1948 from the United States Attorney's office as mentioned above. The only investigation of the wedding conducted by this office is reflected in the report of Special Agent ROBERT E. RIGHTMYER dated June 12, 1948.

The following is a paragraph taken from a letter dated July 13, 1948 and directed to United States Attorney OTTO KERNER, JR., by Special Agent in Charge GEORGE R. MC SWAIN:

"For your information, there is set forth the status of all pending investigation requested by you to date either orally or in writing which has not been submitted to you in report form."

The letter then proceeds to summarize all pending investigation in the office as of the date of July 13, 1948. There is no mention in this letter of any pending investigation in regard to the wedding of DE LUCIA's daughter.

In regard in the second question asked by the Bureau as to whether or not the files of the Chicago Office reflect any requests from the United States Attorney, Chicago, for investigation other than that referred to above in regard to the wedding of DE LUCIA's daughter, or the request of May 28, 1951 for additional investigation at San Francisco, this is to state that these are the only two requests received from the United States Attorney at Chicago in regard to DE LUCIA.

Referenced Bureau call further requested that a check be made to ascertain whether or not this office was in possession of

any information in regard to a statement supposedly made by Judge MICHAEL L. IGOE to the effect that the Federal Bureau of Investigation made an extensive investigation in regard to the matter of PAUL DE LUCIA and came up with no derogatory information. A check of the newspaper clippings files of the office and questioning of agent personnel handling this case failed to reflect any information or knowledge of such a statement having been made by Judge IGOE.

According to a report made at Chicago by Special Agent JOHN R. PHILIPS dated October 6, 1952, an examination was made of the dockets at the office of the Clerk of the United States District Court, Chicago, and it was found that on September 9, 1952, pursuant to a memorandum previously filed, United States District Judge MICHAEL IGOE ordered that petitioner PAUL DE LUCIA be discharged to his conditional liberty in custody of the Attorney General under the supervision of the Board of Parole, and that said memorandum stood as the court's finding of facts and conclusion of law.

The memorandum referred to before, entitled "Memorandum Under Stipulation for Final Disposition," appears to have been prepared by DE LUCIA's attorneys and apparently served as a summary of issue and argument before the court in this case. This memorandum presented certain argument to answer the habeas corpus action in this case and to reinstate DE LUCIA to his parole status. This memorandum was signed by United States District Judge IGOE opposite a notation "Order to be presented September 9, 1952."

The possibility exists that Judge IGOE, in his "Memorandum Under Stipulation for Final Disposition" may have made reference to the FBI conducting extensive investigation in regard to PAUL DE LUCIA and having come up with no derogatory information. It is believed, however, because of the newspaper publicity currently being given to this matter in Chicago, it would be inadvisable to check the court records at this time to ascertain the contents of Judge IGOE's memorandum.

Director, FBI

Re: LOUIS CAMPAGNA, et al
BRIBERY - PAROLE MATTER

The following is an excerpt from the "Chicago Tribune" under date of November 14, 1952, which is being quoted for the information of the Bureau:

"United States Attorney OTTO KERNER, JR., announced yesterday he would take no action in the government's fight to void the parole of PAUL (The Waiter) RICCA, reputed Mafia head, until he has received further instructions from Washington.

"KERNER's announcement came late in the day after he talked by telephone with CHARLES B. MURRAY, head of the criminal division of the department of justice. KERNER on Wednesday had received instructions from Attorney General MC GRANERY to push the appeal from Federal Judge MICHAEL L. IGOE's decision permitting RICCA to remain on parole.

"KERNER said he had been informed by MURRAY that department of justice officials had been in conference most of the day in Washington on the RICCA parole matter and that MURRAY instructed him to take no action until he received further orders.

"Yesterday's change in plans by department of justice officials was another turn in a twisted tangle of maneuvers around the RICCA parole matter within the last week.

"KERNER said that on Monday night he received a telegram signed 'MURRAY' directing him to stop all appeal steps. MC GRANERY, who said the telegram had not been signed by MURRAY and had not been cleared with top policy leaders of the department, on Wednesday ordered KERNER to proceed with the appeal. Yesterday's instructions from MURRAY reversed this decision again."

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

DEC 2 - 1952

TELETYPE

12-2-52 2-51 PM CST CAW

FBI INDIANAPOLIS URGENT

DIRECTOR, FBI AND SAC NEW YORK CITY

LOUIS CAMPAGNA, PAUL DE LUCIA, WA PAUL RICCA, CHARLES GOIE, BRIBERY. PAROLE VIOLATORS. BUREAU DEADLINE DECEMBER THREE NEXT. THE BUREAU IS CONDUCTING FULL AND COMPLETE INVESTIGATION OF ABOVE CAPTIONED SUBJECTS TO SEE WHETHER ANY NEW EVIDENCE COULD BE DEVELOPED THAT WOULD WARRANT REVOCATION OF PAROLE. THEY HAVE INSTRUCTED THAT THE MATTER BE GIVEN TOP PRIORITY AND DEADLINE MUST BE MET WITHOUT FAIL. LOUIS CAMPAGNA IS OWNER OF FARM AT FOWLER, INDIANA AND HAS VISITED THIS FARM ON SEVERAL OCCASIONS SINCE HIS PAROLE IN NINETEEN FORTYSEVEN. INFORMATION RECEIVED THAT INDIVIDUAL BELIEVED FORMERLY ASSOCIATED WITH CAMPAGNA IN NEW YORK HAS VISITED THE FARM WITH HIM ON SEVERAL OCCASIONS. THIS INDIVIDUAL DESCRIBED AS FOLLOWS, RACE WHITE, MALE, FIFTY FIVE TO SIXTY YEAR, FIVE FEET SEVEN TO EIGHT INCHES, HUNDRED SIXTYFIVE TO HUNDRED SEVENTY POUNDS, MEDIUM BUILD, HAIR BROWN, THICK AND GRAYING, EYES COLOR UNKNOWN BUT WEARS LARGE HORN RIMMED GLASSES, CHARACTERISTICS HAS BIG HEAD AND BIG FACE. INFORMANT ADVISED THAT FROM CONVERSATION THIS INDIVIDUAL APPEARS TO HAVE BEEN ASSOCIATED WITH CAMPAGNA FOR LONG TIME. NEW YORK REQUESTED TO ENDEAVOR TO DETERMINE IDENTITY OF THIS INDIVIDUAL TO DETERMINE HIS REPUTATION AND CRIMINAL RECORD.

KING

END AND ACK PLSK

WA PLS ANN

3-55 PM OK FBI WA DBD

NY 3-55 PM OK FBI NYC JCS

RECORDED-8

58-2000

I.R.S.

DEC 12 1952

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/95 SPS/CW

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: November 17, 1952

FROM : Mr. Rosen

SUBJECT: LOUIS CAMPAGNA, was.; CHARLES GIOE, was.; PHILIP D'ANDREA, was. PAUL DE LUCIA (RICCA) was.; JOHN ROSELLI, was.; BRIBERY, PAROLE MATTERS

SYNOPSIS:

Information furnished by [redacted] on [redacted] to H. G. Robinson, Deputy Director, Department of Justice, State of California, that in 1947, while an [redacted] at Leaven- [redacted] and gave them to another [redacted] to be delivered to Paul DeLucia, one of the subjects in instant case. One of the [redacted] claims was supposed to have furnished money to pay off an income tax assessment against DeLucia and Louis Campagna so that they could be paroled. [redacted] has been interviewed, but has been un-cooperative and unable to furnish sufficient descriptive data to identify [redacted]. He is the [redacted] witness in an important narcotics conspiracy trial pending in San [redacted] Bureau has conducted independent investigation of tax payment and ascertained payment was actually made by Eugene Bernstein, attorney for DeLucia and Campagna, with funds he claimed were contributed by unidentified friends of subjects.

b7D

PURPOSE:

To provide you with the details of investigation conducted to identify Jimmy Ryan who, according to [redacted] furnished money to pay income taxes assessed against subjects DeLucia and Campagna, as stated would be prepared in my memorandum to you of November 14, 1952.

DETAILS:

On May 29, 1951, the U. S. Attorney at Chicago requested the Bureau to conduct an investigation concerning a letter from Mr. H. G. Robinson, Deputy Director, Department of Justice, State of California, dated April 30, 1951, to Dr. George G. Killinger, Board of Paroles, in which Robinson stated he had interviewed [redacted]

JGL:sal

RECORDED - 56 58-2000-2140

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/95 BY SPSA/cw

NOV 17 1952

[redacted] and [redacted] had given him information concerning the subjects in this case. The San Francisco Office interviewed Robinson the first week in June, 1951, concerning this letter. He advised that on [redacted], he had talked to [redacted] at the Alameda County Jail where he was held on a [redacted] and had gotten a statement. He furnished to the Agents the parts of this statement pertaining to the instant case which disclosed the following. b7D

[redacted] stated that DeLucia and Campagna were incarcerated at Leavenworth at the same time he was there. [redacted] and he stated that DeLucia asked him to [redacted] from the files. [redacted] stated that one of these was of a person named [redacted] of Chicago, who was in Leavenworth on a [redacted] and the other [redacted] was of a person whose name he could not recall but who had done time at Leavenworth on a [redacted] from Cedar Rapids, Iowa. [redacted] did not describe these persons further but stated it was his understanding that [redacted] concerning which there had been publicity in connection with the paroles of DeLucia and Campagna and the other subjects. He advised he sent the [redacted] to DeLucia through one [redacted] at Leavenworth at the time.

[redacted]

[redacted] b7D

On [redacted] entered a plea of guilty to the narcotics charge and was sentenced to a term of from 1-10 years in the California State Prison. His wife entered a plea of guilty on the same date and her case was referred to the State Probation Officer.

Memorandum to Mr. Ladd

INTERVIEWS WITH [redacted]

Agents of the San Francisco Office interviewed [redacted] on [redacted], at the Alameda, California, County Jail at which time he said he did not desire to furnish any information concerning the instant case, stating that he was afraid that if it became known he had talked, his wife would be in danger.

He stated, however, that the information he had given Robinson concerning his connection with DeLucia and Campagna while at Leavenworth in 1947 was true. He declined to furnish further information but did add that he had not given Robinson the correct name of the individual whose [redacted] he secured for DeLucia. He said this person's name was not [redacted] and that he was connected with the [redacted] He said [redacted] had been released from Leavenworth during 1944. He could furnish only a meager description of [redacted]

Investigation by the Chicago Office disclosed that a [redacted] It was determined that he had never been incarcerated at Leavenworth.

b7D

[redacted] was interviewed again by Agents of the San Francisco Office on [redacted] at [redacted] to which he had been transferred. He advised that after he was sentenced on the narcotics charge in Alameda, he had received another sentence in San Mateo County, California, for 0-10 years on another narcotics charge. He said he had been interviewed daily by Federal Narcotics Agents and was [redacted] with a [redacted] case under investigation. [redacted] said he felt that he had received his second sentence as a result of the information he had furnished to Robinson and that in view of this, he did not intend to discuss his activities with law enforcement officers and added specifically that he would give no further information concerning the DeLucia matter until he knew whether he would be prosecuted further on narcotics charges.

He was again interviewed on [redacted] and it was brought to his attention that the [redacted] had never been incarcerated at Leavenworth. [redacted] advised that he had assumed that the [redacted] he had procured for DeLucia was the same as the [redacted] because of newspaper publicity he had seen concerning the [redacted] employed by the [redacted]

[redacted] could furnish no further information concerning the identity of [redacted] He advised, however, that he had gotten his information that [redacted] was supposed to have put up the money for

b7D

 b7D

the taxes of DeLucia and Campagna from [redacted] and from an individual named Gerald Covelli, who had been an inmate with him in the Joliet, Illinois, Penitentiary in 1950 where he was serving a term of 1-3 years on a charge of burglary. He said [redacted] supposedly had paid the money directly to the Internal Revenue Bureau. [redacted] furnished no information as to the sources of Allissio's and Covelli's information.

On January 28, 1952, the San Francisco Office advised that [redacted]

b3

By memorandum of July 3, 1951, the Department was advised of our efforts to interview [redacted] and that he was not cooperative and plainly expressed a desire to discuss this matter no further.

BUREAU INVESTIGATION OF INCOME TAX MATTER:

The Internal Revenue Bureau, as a result of the Anti-Racketeering investigation concerning DeLucia and others, levied a delinquent tax assessment against DeLucia for $141,631.72. This was settled by payment of $55,754.37, made while DeLucia was in prison. In 1948, when DeLucia's parole was revoked, one basis for the revocation was that he failed to show the source of the money used in settling this tax assessment. The Bureau conducted a complete investigation of this allegation and it was determined that payment of the taxes was made by Eugene Bernstein, DeLucia's attorney who claimed the money was supplied by unidentified friends of subjects who brought the money to his office and dropped it on his desk with instructions to use it to help DeLucia and Campagna.

ACTION TO BE TAKEN:

b7D

Photographs of seven former inmates of Leavenworth using the name [redacted] have been procured and will be exhibited to [redacted] immediately [redacted]

This matter will be closely followed.

Airtel SAC San Francisco 11-21-52 JGL:RH

Keep night after this.

Deleted in San Francisco 12-3-52 WRH

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: December 3, 1952

FROM : Mr. Rosen

SUBJECT: LOUIS CAMPAGNA, WAS, ET AL.
BRIBERY
PAROLE MATTER

Tolson ✓
Ladd
Clegg
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At 10:40 a.m. on December 3, 1952, Special Agent R. J. Driscoll of the Chicago Office, calling for SAC Malone, advised that a pending report on the above matter was being mailed from Chicago that day, December 3, 1952. He stated that subject DeLucia had been interviewed in connection with the wedding reception but could not furnish any list of guests, claiming to have misplaced the list. DeLucia could not recall the names of any of the guests on the list who he has alleged contributed money to defray the expenses of the reception. As a consequence, SA Driscoll advised, the Chicago Office has of necessity, been required to contact the bride and bridegroom and members of their immediate family in an effort to ascertain the identity of the guests. In addition, as guests are contacted, new names are ascertained.

In view of the above, the report being submitted is a pending report as there are other individuals to contact in connection with the wedding reception.

SA Driscoll was requested to refer to Bureau airtel dated December 1, 1952, and to closely follow the investigation requested therein, including the interviews with Covelli and Allissio. He stated that this airtel had not yet been seen by him, but that the requested investigation would be conducted.

ACTION:

For information. To record the above call.

WRH:DEJ

RECORDED - 56 58-2000-2141

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/8/95 BY SP5CW/a

6 DEC 11 1952

AIR MAIL

NOVEMBER 21, 1952 AIR TEL

SAC, SAN FRANCISCO PERSONAL ATTENTION

b7D

LOUIS CAMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTER. REURLET NOVEMBER EIGHTEEN LAST. MAINTAIN CLOSE LIAISON WITH AUSA KARESH IN ORDER THAT [redacted] CAN BE INTERVIEWED FIRST POSSIBLE MOMENT. PHOTOGRAPHS MUST BE EXHIBITED TO HIM AS SOON AS POSSIBLE. SUBMIT RESULTS OF INTERVIEW IN REPORT WITH THREE COPIES TO BUREAU. FOLLOW CASE VERY CLOSELY AND ADVISE BUREAU IMMEDIATELY OF ALL DEVELOPMENTS.

HOOVER

CC CHICAGO (BY MAIL)

58-2000

EHW/rh

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/6/95 BY SP2/aw

RECORDED - 90 58-2000-2142

EX-111

DEC 9 1952

COMM — FBI NOV 21 1952 MAILED 24

NOV 21 5 53 PM '52 U.S. DEPT. OF JUSTICE RECEIVED - DIRECTOR

DEC 12 1952

AL BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
NOV 28 1952
TELETYPE

FBI CHICAGO 11-28-52 3-33 PM

DIRECTOR AND SAC SAN FRANCISCO URGENT

LOUIS CAMPAGNA, WAS. ETAL. BIRBERY, PAROLE MATTER. REREP CG OCT. SIX LAST. BY PHONE NOV. TWENTYSIX LAST BUREAU INSTRUCTED AS RESULT CONFERENCE BETWEEN DIRECTOR AND AG THAT FULL AND COMPLETE INVESTIGATION BE CONDUCTED TO DETERMINE IF NEW EVIDENCE OF PAROLE VIOLATION CAN BE DEVELOPED AGAINST SUBJECTS IN THIS CASE. BUREAU SPECIFICALLY MENTIONED OUTSTANDING LEAD YOUR DIVISION BE PROMPTLY COVERED. BUDED DEC. THIRD NEXT.

MALONE

END AND ACK PLS

4-35 PM OK FBI WA SMS

OK FBI SF ELH

MM

DATE 3/8/95 Sesa/aw

EX-115
RECORDED - 28 157-2-2-2143

6 DEC 11 1952

0-9a

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

AIRTEL
AIR MAIL
PERSONAL ATTENTION

To: COMMUNICATIONS SECTION. 12-1-52

Transmit the following message to: SAC, CHICAGO

RECORDED - 28 58-2000-2144

LOUIS COMPAGNA, WAS, ET AL BRIBERY, PAROLE MATTERS. AS YOU WERE ADVISED IN BUCALLS NOVEMBER TWENTYSIX AND DECEMBER ONE, NINETEEN FIFTYTWO ATTORNEY GENERAL DESIRES IMMEDIATE, FULL AND COMPLETE INVESTIGATION BE CONDUCTED OF LOUIS COMPAGNA, PAUL DE LUCIA AND CHARLES GIOE TO DETERMINE WHETHER ANY NEW EVIDENCE CAN BE DEVELOPED THAT WOULD WARRANT REVOCATION OF THEIR PAROLES. THIS NEW INQUIRY SHOULD INCLUDE INVESTIGATION INTO THE WEDDING EXPENSES FOR DE LUCIA'S DAUGHTER. LEAD OUTSTANDING AT SAN FRANCISCO TO SHOW PHOTOGRAPHS TO [redacted] TO DETERMINE IF HE CAN IDENTIFY ONE [redacted] SHOULD BE COVERED AT EARLIEST POSSIBLE MOMENT. INTERVIEWS WITH GERALD COVELLI AND SMOKY ALLISSIO MENTIONED IN SAN FRANCISCO REPORTS IN THIS CASE MAY BE HELPFUL IN IDENTIFYING [redacted] INDIVIDUALS CONTACTED IN THIS INVESTIGATION SHOULD NOT BE ADVISED THAT INVESTIGATION IS BEING CONDUCTED AT THE ATTORNEY GENERAL'S REQUEST. YOUR INVESTIGATION SHOULD GO INTO ANY POSSIBLE BRIBERY, CORRUPTION OR GRAFT. THE PAST INVESTIGATION IN THIS MATTER SHOULD BE THOROUGHLY REVIEWED TO MAKE CERTAIN THAT ALL ALLEGATIONS OF BRIBERY, CORRUPTION AND GRAFT WERE COMPLETELY RUN OUT. IF THE CHICAGO FILE FAILS TO REFLECT THAT ALL SUCH ALLEGATIONS HAVE BEEN EXHAUSTIVELY EXPLORED, SUCH ALLEGATIONS SHOULD NOW BE RUN OUT THOROUGHLY. YOU SHOULD CHECK WITH INFORMANTS AND BE ALERT DURING THE COURSE OF ALL INTERVIEWS AND FUTURE INVESTIGATION TO DEVELOP ANY SUGGESTIONS THAT THERE MIGHT HAVE BEEN ANY BRIBERY, CORRUPTION OR GRAFT IN THE HANDLING OF PAROLES IN THIS MATTER. NECESSARY LEADS

EX-115

b7D

COMM — FBI
DEC 2 - 1952
MAILED 27

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Nease
Gandy

JGL:eam

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/95 BY SP1 [illegible]

74 DEC 15 1952

Sent via _____ M Per _____ HOOVER

SHOULD BE SET OUT BY TEL FOR OTHER OFFICES. ON DECEMBER ONE BUREAU RECEIVED WRITTEN REQUEST FROM ATTORNEY GENERAL TO INVESTIGATE THIS MATTER AND STATES THAT AFTER EXAMINING THE RESULTS OF THE BUREAU'S RECENT INVESTIGATION INTO THE CIRCUMSTANCES SURROUNDING THE ACTION OF THE DEPARTMENT AND INSTRUCTING THE USA IN CHICAGO NOT TO TAKE AN APPEAL FROM JUDGE IGOE'S DECISION OF SEPTEMBER NINE, FIFTYTWO, DIRECTING THE RELEASE OF THE SUBJECT FROM CUSTODY THE AG ADVISES THAT HE IS IMPELLED EVEN AFTER THE SUBSTANTIAL LAPSE OF TIME SINCE THE EVENTS IN QUESTION TO REQUEST THAT THE BUREAU MAKE A COMPLETE INVESTIGATION OF THE CONDUCT OF THE SUBJECT, OF HIS CODEFENDANTS AND FELLOW PRISONERS, CAMPAGNA AND GIOE, SINCE THEIR RELEASE ON PAROLE ON AUGUST THIRTEEN, FORTYSEVEN, FOR THE PURPOSE OF DETERMINING WHETHER THEY HAVE COMPLIED WITH THE TERMS AND CONDITIONS OF THEIR PAROLE. THE BUREAU WISHES TO POINT OUT THAT THIS IS A VERY IMPORTANT MATTER AND MUST RECEIVE PROMPT AND THOROUGH ATTENTION AND IT IS YOUR RESPONSIBILITY TO MAKE CERTAIN THAT FBI INVESTIGATION OF THIS MATTER IS THOROUGH IN EVERY RESPECT. IN EVENT INFORMATION IS OBTAINED FROM CONFIDENTIAL INFORMANTS EVERY EFFORT MUST BE MADE TO CORROBORATE SUCH INFORMATION BY DOCUMENTS OR OTHER EVIDENCE WHICH CAN BE USED IN A SUBSEQUENT PROCEEDING. THIS CASE SHOULD RECEIVE YOUR PERSONAL SUPERVISION. SUTEL BRIEF ANALYSIS OF INVESTIGATION BEING INSTITUTED AND ESTIMATE EARLIEST POSSIBLE TIME THIS INVESTIGATION CAN BE COMPLETED BY CHICAGO AND AUXILIARY OFFICES.

HOOVER

Tolson
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Clegg
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Laughlin
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Tele. Rm.
Holloman
Gandy

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Harbo
Mr. Rosen
Mr. Tamm
Mr. Mohr
Mr. Winterrowd
Mrs. Beahan
Mr. Gandy
Miss Gandy

TO : Director, Federal Bureau of Investigation

DATE: December 1, 1952

FROM : The Attorney General

SUBJECT: Paul DeLucia alias Paul Ricca

Reference is made to your summary memorandum of November 21, 1952, captioned as above, which discloses the results of the Bureau's recent investigation into the circumstances surrounding the action of the Department in instructing the United States Attorney in Chicago not to take an appeal from Judge Igoe's decision of September 9, 1952, directing the release of the subject from custody on a warrant charging him with violation of his parole.

Upon examination of your report I am impelled even after the substantial lapse of time since the events in question, to request that the Bureau make a complete investigation of the conduct of the subject and of his co-defendants and fellow prisoners, Campagna and Gioe, since their release on parole on August 13, 1947, for the purpose of determining whether they have complied with the terms and conditions of their parole.

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EX-115

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FEDERAL BUREAU OF INVESTIGATION
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DEC 4 - 1952
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Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Mohr
Mr. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

FBI, LOS ANGELES 12-4-52 10-00 AM JMD

DIRECTOR, SAC CHICAGO VERY URGENT

LOUIS CAMPAGNA, ET AL, BRIBERY, PAROLE MATTERS. REMYTEL ELEVEN ZERO EIGHT PM PST THIRD LAST. [redacted] THIS MORNING TELEPHONICALLY ADVISED HIS CONVERSATION WITH MRS. [redacted] AND MRS. [redacted] DEFINITELY TOOK PLACE IN THE SPRING OF FORTY NINE AND NOT IN FORTY EIGHT AS HE HAD THOUGHT MIGHT HAVE BEEN POSSIBL HE NOW RECALLS MRS. [redacted] REQUESTS HIS IDENTITY BE KEPT CONFIDENTIAL.

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b7C
b7D

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CARSON

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WA 1-03 PM OK FBI WA SS

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EX-111

DECEMBER 5, 1952

SAC, CHICAGO

AIRTEL
AIR MAIL

LOUIS CAMPAGNA, WAS., ET AL, BRIBERY, PAROLE MATTERS. REREP WASHINGTON FIELD DECEMBER FOUR, FIFTYTWO, CONCERNING EIGHTY THOUSAND DOLLARS LOAN MADE TO DE LUCIA BY HUGO BENNETT. CONSIDERABLE TESTIMONY WAS GIVEN BEFORE KEFAUVER COMMITTEE BY DE LUCIA AND HUGO BENNETT THAT DE LUCIA BORROWED FORTY THOUSAND DOLLARS IN MAY, FORTYEIGHT AND ANOTHER FORTY THOUSAND DOLLARS IN MAY, FIFTY. DE LUCIA ALSO TESTIFIED THAT HE HAD THREE HUNDRED THOUSAND DOLLARS CASH IN HIS HOME WHEN HE WAS RELEASED ON PAROLE AND ONLY EXPLANATION FOR ABOVE LOAN WAS THAT HE WAS REPAIRING HIS FARM BUILDING AND LIKED A LOT OF CASH ON HAND. ACCORDING TO TESTIMONY BENNETT BORROWED TWENTY THOUSAND DOLLARS FROM MR. JOHNSTON, PRESIDENT OF SPORTSMAN'S PARK AND FIFTEEN THOUSAND DOLLARS FROM MAX SILVERBERG, A CONCESSIONAIRE AT ARLINGTON, WASHINGTON AND SPORTSMAN'S PARKS IN ORDER TO RAISE THE FIRST FORTY THOUSAND DOLLARS. ASCERTAIN WHETHER THESE LOANS REPORTED TO PAROLE OFFICER BY DE LUCIA PRIOR TO THEIR DISCLOSURE AT KEFAUVER HEARINGS ON OCTOBER SIX, FIFTY. INTERVIEW BENNETT, SILVERBERG AND JOHNSTON FOR CIRCUMSTANCES OF LOAN AND THROUGH INFORMANTS AND OTHER SOURCES ATTEMPT TO ASCERTAIN REASONS FOR MAKING SAME. YOUR REPORT OF DECEMBER THREE, FIFTYTWO, STATES UNABLE TO PHYSICALLY EXAMINE PAROLE OFFICE FILE ON CAMPAGNA ALTHOUGH YOUR REPORT INDICATES THAT PHYSICAL EXAMINATION WAS PERMITTED AS TO GIOE'S AND DE LUCIA'S FILES. ADVISE SITUATION SO IF NECESSARY DEPARTMENT CAN BE INFORMED OF LACK OF

WRH:bsw

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 3/8/93 BY SP1 Cpa

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Gandy

MAILED DEC 5 1952 COMM-FBI

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EX-100

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74 DEC 12 1952

COOPERATION AND SAME OBTAINED. HEREAFTER SUBMIT FOUR COPIES OF REPORTS TO BUREAU AND FORWARD ONE ADDITIONAL COPY OF DECEMBER THREE REPORT.

HOOVER

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RTEL

DECEMBER 3, 1952 AIR MAIL

SAC, CHICAGO PERSONAL ATTENTION

(1)

LOUIS COMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTER. REBUAIRTEL DECEMBER ONE, NINETEEN FIFTYTWO. EVERY EFFORT SHOULD BE MADE TO ESTABLISH THE IDENTITY OF [redacted] REFERRED TO BY [redacted] AND COMPLICITY OF SUBJECTS IN OBTAINING PHOTOS FROM LEAVENWORTH PENITENTIARY AS A POSSIBLE GROUND FOR REVOCATION OF THE PAROLES OF DE LUCIA AND CAMPAGNA. YOU ARE TO REVIEW THE REPORTS OF WILLIAM P. POOLE DATED JUNE TWENTYTHREE, NINETEEN FIFTYONE AND OCTOBER SEVENTH NINETEEN FIFTYONE, AT SAN FRANCISCO AND SAN FRANCISCO LETTERS TO BUREAU DATED AUGUST NINE AND SEPTEMBER TEN, NINETEEN FIFTYONE, COPIES OF WHICH WERE SENT TO YOU CONCERNING INTERVIEWS WITH [redacted] AND CONDUCT INVESTIGATION, NOT ALREADY BEING HANDLED, THAT IS SUGGESTED THEREIN TO IDENTIFY [redacted] YOU SHOULD ALSO DETERMINE FROM LOCAL PAROLE BOARD RECORDS THE PAROLE OBLIGATIONS IMPOSED ON SUBJECTS AND THEN REVIEW REPORTS MADE BY SUBJECTS TO DETERMINE WHAT STATEMENTS HAVE BEEN MADE BY THEM AS TO THEIR ALLEGED ACTIVITY, SOURCES OF INCOME, WHEREABOUTS, ETC. THESE SHOULD BE ANALYZED WITH THE OBJECTIVE IN MIND OF ASCERTAINING FROM KNOWN INFORMATION OR FROM INVESTIGATION WHETHER ANY ARE FALSE. IN THIS CONNECTION PARTICULAR ATTENTION SHOULD BE GIVEN TO ANY FINANCIAL STATEMENTS MADE TO PAROLE OFFICE AND EXAMINATION SHOULD BE IMMEDIATELY MADE OF SUBJECTS' BANK ACCOUNTS AND FINANCIAL ACTIVITY. SUGGEST INTELLIGENCE UNIT OF INTERNAL REVENUE BE CONTACTED FOR ANY INFORMATION THEY MAY HAVE IN THIS REGARD OR ANY EVIDENCE THEY MAY HAVE DEVELOPED WHICH COULD BE USED AS A BASIS

b7D

SPJ 3/8/95

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DEC 3 1952

DEC 4 1952

EX-137

FOR REVOKING THE PAROLES. THE BUREAU IS REQUESTING COPIES OF SUBJECTS' INCOME TAX RECORDS FOR THE YEARS NINETEEN FORTYSEVEN THROUGH NINETEEN FIFTYONE AND SAME WILL BE FORWARDED TO YOU. AS STATED IN REFERENCED BUAIRTEL, ONE OF THE PRINCIPAL OBJECTIVES OF INSTANT INVESTIGATION IS TO DEVELOP EVIDENCE WHICH WILL WARRANT REVOCATION OF SUBJECTS' PAROLES AND ABOVE SUGGESTIONS ARE NOT TO BE CONSTRUED AS LIMITING THE SCOPE OF THE INVESTIGATION. LEADS SHOULD BE SET OUT BY TELETYPE AND YOU SHOULD PERSONALLY MAKE CERTAIN THAT THIS INVESTIGATION IS RECEIVING THOROUGH AND PROMPT ATTENTION.

HOOVER

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

DEC 3 - 1952

TELETYPE

G. I. R. 6-04 PM

LDS

FBI, SAN FRANCISCO 12-3-52

DIRECTOR AND SAC CHICAGO URGENT

LOUIS CAMPAGNA, WAS, ET AL, BRIBERY, PAROLE MATTERS. RETEL CHICAGO TODAY. ALSO, BUREAU TELEPHONE CALL TO CHICAGO. AUSA JOSEPH KARESH, SF, ADVISES THAT FEDERAL NARCOTICS TRIAL IN WHICH [redacted] HAS BEEN POSTPONED UNTIL FEBRUARY NEXT. IN DISCUSSION OF INSTANT CASE WITH KARESH, LATTER ADVISES THAT IT IS PERMISSIBLE FOR [redacted] TO BE INTERVIEWED IMMEDIATELY. HOWEVER, HE REQUESTS THAT THE MATTER BE BROUGHT TO THE ATTENTION OF ERNEST GENTRY, SUPERVISOR, FEDERAL NARCOTICS BUREAU, SF, PRIOR TO INTERVIEW AS A MATTER OF COOPERATION. GENTRY NOT AVAILABLE TODAY BUT WILL BE CONTACTED TOMORROW MORNING AND INTERVIEW WITH [redacted] WILL TAKE PLACE IMMEDIATELY THERAFTER.

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BROWN

END AND ACK PLS

WA 9-15 PM OK F BI WA DP

CG OK FBI CG JJP

TU DIS PLS

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70 DEC 12 1952

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

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Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Tracy
Mr. Carson
Mr. Hoover
Mr. Mohr
Mr. Winterrowd
Tele. Room
Miss Holmes
Miss Gandy

2-1 JWF

FBI, CHICAGO 11-18-52 6-30AM

DIRECTOR, FBI .....URGENT.....

LOUIS CAMPAGNA, WAS., ETAL. BRIBERY, PAROLE MATTER. REMYTEL LAST NITE. FLIGHT SIX THREE SIX UAL NOT DEPARTING CG ON SCHEDULE. DATA THIS CASE BEING FORWARDED VIA UAL FLIGHT SIX TWO ZERO, LV., CG, EIGHT ZERO FIVE AM ARRIVE DESTINATION ELEVEN THIRTY AM, WASH., TIME. ARRANGE AGENT MEET PLANE TO RECEIVE DATA FROM CAPTAIN HALVERSON AND DELIVER IMMEDIATELY TO SUPERVISOR WINTERODD AT BUREAU.

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MALONE

END ACK PLS

WA 7-31 AM OK FBI WA EA

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4 DEC 12 1952

Hennager advised WFO 7 AM 11/18/52

cc Mr. Rosen
cc. Mr. Tolson

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